App F IX 4]

1929-20

File No 60-18

Previous References
1 6078-687

Serial Nos. 12, 13, 15, 16, 17

Later references

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for September 25

SUBJECT

Criminal appeal S-3 of 1925 on the Chief Court of Mysore (Bangalore city) by the N B Behrajee Khan) against the order of acquittal passed by the Bench Magistrate city —

G R. S III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT

(Jud.) 216

NOTES

File No 60-19

FILE HEADING

Suits by or against Maltsin in the State.

From The Govt Advocate in Mysore

No. 2	Dated 2.7.19	Received 7.7.19
Diary No 216	Enclos 1 Spare Copies	Serial No 12

BRIEF ABSTRACT OF LETTER

Forwards a copy of Judgments in Criminal Appeal No. 53/18-19 (Govt of Mysore Vs H.B Sethagiri Rao) on the file of the Court of Mysore, filed against the order of acquittal passed by the Bangalore Magistrates, Bangalore city in C.C. No. 53/1227 & 17.19 and states that the appeal was heard on 12.6.19 with the result that it was dismissed

NOTES AND ORDERS

Submitted for information with ref to G.O No 9276-7/Jud 60-15-7 & 24th Jan 1919

2 For perusal

12.7.19

14/7/19

Jud 12/7 (Reviewed)

3 In view of the decision I think it is necessary at once to take steps to "specially empower

NOTES—First Sheet.

General and Revenue Secretariat | File No 60 of 1919

Serial No.

the Council to prescribe conditions as to designs, or materials or dimensions." The MC Council's proposals may be called for —

26/7/19

3rd member) 4 yr.

15/7/19

17/7

5 Draft is submitted for approval.

21.7.19

6 Approved Suitable Please put up in a letter form This is not a final order

22/7

7 Draft of a letter is submitted for approval

25.7.19

26/7

8 Done

28/7/19

Letter No. R 1648 dt 30.7.19 to the Chairman of Municipal Council

Letter for defendants proposals in the matter especially enforcing the Council to impose under Sec 96(2) of the Municipal Act the conditions as to design or materials or to dimensions or the internal contents of the a building as they think proper

NOTE—Contn sheet.

G R. S. III-2,

General and Revenue Secretariat | Mul File No. 60 of 1918

Serial No.	
15	Letter no. 79 dt 12th July 1920 from the President, Bangalore City Munl Council Submits a copy of the Resolution approving of the proposals embodied in the Select Committee's report in the matter of empowering the Munl Council to impose conditions under Sec 96(2) of the Munl Regn as to design or materials or as to the dimensions or the cubical contents of the rooms in a building and states that if Govt should approve the foregoing proposals, necessary steps will be taken to amend the existing building bye-laws The Select Committee appointed in this behalf propose certain additions to bye-laws no. 12 of the existing Building Bye-laws of the Bangalore City Munly which specially empowers the Munl Council to impose conditions as to the mode of construction of buildings, the materials to be used &c The President states that, if the above additions to the Building Bye-laws are approved, he will take necessary steps required under Sec 48 (2) & (3) of the Munl Regn to amend the Building Bye-laws Submitted for orders with reference to proposals

The Bangalore City Laws has been put up & submitted

3

Note—Contn sheet

G R. S III-2)

General and Revenue Secretariat | Rd File No. 60 of 19 18

Serial No

paras 3 and Supra

27-7-18 I think the proposals may be approved

In the proposed additional bye-law [C] the last clause "or less than the dimensions specified above prescribed for any locality in particular" seems to be unnecessary

~~The proposals have also~~

28/7

Ker Secy

13 See how this compares with other existing building bye-laws elsewhere and put up —

30/7/20

14 The building bye-laws obtaining in other municipal towns in the State do not contain similar conditions attached to them, because they are not empowered with the special powers now proposed to be entrusted to the Bangalore City Municipal Council

15 Bombay City Building bye-laws have no such provisions made in them

7-8-18

Memo—Contin sheet

G R. S.-III-2)

530

General and Revenue Secretariat | 2nd File No. 60 of 19 18

Serial No

16 Rev Secy 4/9/18

Surely, these proposals can not be the first of their kind anywhere May be examined again, in L.S.G. Secy Refer to as ~~be as~~ many bylaws elsewhere as you can —

bz
9.8.20

17 Similar provisions under building bylaws are not to be found framed under any of the ~~all~~ Regns or Acts of the British Provinces.

18. As regards the bylaws now proposed, it is submitted that the municipality can frame them only after it is ~~duly~~ duly empowered under sec 96 (2) of the Regn. The Object of the building bylaws is to secure the proper sanitation, structures & safety of the houses & other buildings These now proposed seem to go beyond this scope in as much as they take away from the citizen the common law right of building on his site as

Note—Contin sheet

his taste, convenience or interest suggest or his means justify. But this does not of course mean that houses can be allowed to be built in a haphazard unsanitary manner and the municipality now possesses ample powers to check such constructions

19 The first byelaw now framed is so general in its language that it seems to invest the ml cl with undue powers which may be occasionally abused. To say that the cl will have power to fix the external appearance of buildings etc" means that it can dictate to the ratepayer that a house should fulfil certain aesthetic requirements and that it should conform to a particular plan or design under pain of punishment. It seems that such a byelaw is unreasonable in view of the fact that the ml

Serial No

Cl cannot enforce a general resolution that a particular system of construction should be adopted within a certain local area

(20) Again it seems that the terms "design", materials etc should be defined. To leave it to the discretion of the Council would be to give them larger powers and it may not be unlikely that the Cl may impose a condition that all houses in the area should in future be built of teak wood and mortar and should be of a particular Color only - It will not be necessary to say that the forbidding of constructing houses (mudroofed or country tile roofed) will cause much hardship to poor people-

(21) Even in the elaborate building bylaws of the Bombay city, no such drastic laws are found and as regards the size of rooms etc, the height & the superficial area are prescribed

As regards the height of

Serial No.

basements, plinths, floors etc the municipality have to frame more specific bylaws on these lines of the Bombay city bares

23 The Sol Advocate may perhaps be consulted as to the validity of the bylaws now proposed

24 Subject with respect to para 17 supra

JNA 28/8/20 Rev Secy

25 The views indicated in paras 17 to 22 of the Hon'ble note above seem sound, and the proposals may therefore be given for the present The Mill Cl may be suitably informed in reply that on further consideration Govt are not convinced of the necessity of the rules at present and that therefore the question may be dropped

2nd member 14.9.20

26 The Govt Advr may be consulted. I see that the C A was one of the persons whose judgment formed the starting point of this reference

15-9-20

1799-19 17-9-20

Form—Contn sheet

5750

G. R. S. III-2,

General and Revenue Secretariat. | Rul File No. 600 of 1918

11383

4 4 6/20 - 4

4. 10 (9

4. 10 (9

Secy T 1920 III

2 Ld Govt forwards with compli. wts for favour of opinion.

for Secy
18/9/20

Under cl (1) of sec 96 a municipal Council Can frame a bylaw or issue a special order requiring a person intending to build to give information regarding the limits design & materials of the proposed building. Bylaws 12 & 13 (Flag E) have presumably been framed for that purpose. Under cl (2) of sec 96 it is only a municipal Council specially empowered that Can impose conditions as to design or materials or to the dimensions & cubical contents of the rooms the municipal Council if it is true is given very wide powers under sec 96 for regulating buildings and those powers are subject only to two limitations:—

(1) that the power should be used in a manner not inconsistent with the Regulation

& (2) that the power is not to be

Serial No

used in an unreasonable manner

The power to impose conditions regarding designs &c may no doubt be an encroachment on private rights but not inconsistent with the Reg.

30 If a rule or bylaw can validly be framed for the purpose of compelling an intending builder to give information regarding the limits design & materials of the proposed building as indeed every Municipal Council can under Sec 48 (1) (x), a rule vesting discretionary power in the licensing Authority in regard to the exercise of Control in those matters by the imposition of suitable conditions cannot in itself be beyond the powers of the Municipal Council, provided that the exercise of such power is reasonably suited to the circumstances of each case & is not either arbitrary or improper

31 It is noticeable that while power is given under Sec 48 (1) (x) to frame bylaws determining the information in regard to limits design & materials required by Sec 96 (1) no power is

G R S III 2]

General and Revenue Secretariat

File No 60 of 1918

Serial No

Expressly given to frame bylaws regulating the design materials & dimensions of the building to be erected. The Legre has probably left it to the discretion of the Specially Empowered Councils to impose proper & reasonable Conditions in regard to those matters and it is perhaps not intended at any rate not expressly stated that that discretion should be circumscribed by hard & fast rules Conditions suited to one locality may be unsuited to another within the same Municipal area: and Conditions suited to one Municipal area may not be suited to another Municipal area - There can however be no legal objection to the minimum requirements being prescribed with a view to minimise as far as practicable the scope for the use or rather misuse of the discretion in a capricious or ~~arbitrary~~ arbitrary manner. The framing of rules in this matter can be justified only under Sec 44 S (1) (w) but it may

sheet.

Serial No

be said in support of the other view that only such Municipal Councils as can safely be entrusted with the proper Exercise of Discretion in such matters that will be specially empowered.

3rd It appears to me that the simplest means of meeting Cases of the Kind ref^d to in the Chief Justice's letter is to notify under Sec 96(2) those Municipal Councils to which such powers can in the opinion of Govt be safely Entrusted as Councils specially 'Empowered in 'this behalf. without framing any bylaws the 'person intending to build being left under the general law to pursue his remedy against the imposition of arbitrary or improper Conditions — if the Conditions are inconsistent with the Regulations he will not be bound by them as the order imposing them will be an illegal order which he can ignore

33 Now Coming to the proposed bylaw themselves the first is intended to relate to design the 2nd to Master

G R S. III-2]

General and Revenue Secretariat

Ml File No 60 of 1918

Serial No

& the 3rd to dimensions - Before Considering the question as to whether these bye laws Can be Sanctioned in their present form or in any modified form it seems to me that it is desirable for Govt to decide whether it is necessary to fetter the judgt of the Specially empowered Municipal Councils in the manner proposed or allow them wider discretion in the matter subject only to the two limitations which the Section itself prescribes

2d In any Case information may be called for from Bombay as to whether under Sec 96(2) of the Bombay Dt Municipalities Act 1901 on which our Regulation is modelled whether they have left it to the discretion of the Municipal Councils or framed rules as to the Conditions imposable under that Section in regard to materials & dimensions & Cubical Contents of rooms and in the latter Case to furnish us with a Copy. Power to impose Conditions in regard to designs is not reserved under

NOTE—Contn sheet

G R S III-2]

General and Revenue Secretariat.

Mil File No 60 of 1918

Serial No

Sec 96(2) of the Bombay Act above ref^d to + it may be that for this reason no rule has been framed under that Act with ref^e to the Condition as to design - If preferred I shall get the information from the Govt Pleader or Legal Remembrancer of Bombay.

4th October 1920

3 Submitted with reference to para 2 supra. The easy way of getting the information from Bombay seems to be the one referred to by the Govt Advocate in the concluding sentence of his note above

6/10/20.

3 (Second Member)

6-10-20

2303 2/3
14 10 20

Approved The G A may be asked to procure the maker particulars in the lines indicated by him + to return have his deputy opinion thereafter

Rees
16 10 20.

10

NOTE—Contn. sheet

15

G. R. S. III-2.

General and Revenue Secretariat

File No. 60 of 1918

Serial No 98

Forwarded unofficially with compliments to the Govt. Advocate for favour of taking action on the lines indicated by him and returning the file with his definite opinion thereon.

By order

H. Ramanathan
21-10-
for Secy to Govt
Gen Rev Dept

P.W. 58
30.10.20

Main—Contn. sheet.

G R S III 2]

General and Revenue Secretariat

File No. 60 of 19

Serial No

[illegible]

No 160 Gen 21

REV SECT

JC

10 JUN 1921

By the Courtesy of the Law officers of Bombay I have obtained the following 3 sets of bye laws which I send herewith :—

(i) Model Building bye laws framed by the Bombay Govt under Cl (n) (o) & (p) of Sec 48 (1) of the 'Bombay Dt Municipal act 1901 for the guidance of Municipalities.

(ii) Model bye laws adopted by the Moffussil municipalities with such modifications as are required by local Govt

(iii) Bye laws framed by the Bombay Municipality under Cls (a) (c) & (dd) of Sec 461 of the City of Bombay Municipal act 1888

40 The Bye laws framed by the Bombay Municipality are in my opinion too elaborate to be of much practical use in the Municipalities here The Model bye laws for advanced Moffussil Municipalities framed so recently as the 12th Sept 1910 are in

NOTE—Contn. sheet

G R S III 2]

530 17

General and Revenue Secretariat. | File No. 60 of 1918

Serial No

by Opinion will subject to the Conditions prescribing here: the Minimum height & area of living rooms & windows are provided for in those by-laws may be adopted by our Municipalities also — to for the other matters local Conditions may probably demand further variations

29-6-24

4/ submitted for orders with reference to para 37 supra

2/7/24 (2 Newsday)

2nd

43 2nd member)

113/577

2/7

5-7-24

Let the Municipal Council may consider above the enhancement & new by-laws

5/7/24

draft

5/30-22 G

G R S III-21

General and Revenue Secretariat | Final File No. 60 of 1918

Serial No.

46 draft as subs for appl

Bombay 22/7

11-7-21

Sub

Sec Bd

Letter No. 536 of 26-7-21 to the P. W. Dept

circulated.

Forward a copy of draft Building Bye-laws for Congested Districts in the Bombay Presy and request to kindly place the same for the consideration of the Revd Cl and ascertain if they are agreeable to adopt these Bye-laws with such modifications if any, as may be necessary.

Letter 207 of 7. 3. 22 from the President Bombay circulated

Returns the a printed copy of the draft building bye-laws for congested Revd Districts in the Bombay Presy and states that the amendments to the existing bye-laws approved by the Revd Council are published and objections called for & that a further report will be submitted later.

Note—Contn. sheet

G. R. S III-21

General and Revenue Secretariat.

File No. 60 of 1918

595

Serial No.

Enter on.

Pl. approved further reports may be awaited

26.5.22 (Sd) Sd 27/5/22

27/5

Pl. please

27/5

(D. No 6683)

Dewan's order dt 8-5-22 in Mem. 183 of 1921

"The other file (Mem. 60 of 1918) this dragging on - Mrs should be brought up for early disposal"

Please expedite

9-5-22

Sd

Draft as submitted for approval

16.5.22 15/5/22

18 16

Issue Sd 16/5/22

The Public Works Secretary

No. L 2266 dt 8/6.

Request expedite the subm of the further report.

REVENUE & JUDICIAL SECRETARIAT. 29 JUN 1922 LOCAL SELF GOVT. BRANCH

Form—Comm. sheet

20

6185

R. S. III 2]

General and Revenue Secretariat | File No. [redacted] of 19 19.

Serial No	
19	Letter No 1660 29 S. 23 from the President, Bangalore city Municipal Council. Stating that the existing Rules and Bye-laws of the Bangalore city Municipality are being revised and that provisions contained in G.O. 16 supra, will be included in the Building Bye-laws under revision. If approved this will await the submission of the revised Bye-Building Bye-laws of the city Municipality.

RECEIVED 6 JUL 1923 LOCAL SELF GOVTT BRANCH GENERAL & JUDICIAL SECRETARIAT

8-6-23 (Rev Sec) 11/7/23

When the revised bye-laws are received the file may be closed. There is no necessity for keeping it in the office as this may be recorded

No Dated remarks to 24 Sheet at present be forwarded to the Municipal Commissioner in view of Secretariat order 29/5/22

C.R.O. 112 8/10/24

Note—Contn. sheet.

General and Revenue Secretariat

File No 30 84 21

of 19 19

Serial No.

Copy of a Bo is sent for appn

11.10.24

Letter No. 64/24-25 G 6-11 dt from the Hon'ble Chief Minister,

States that the rules and Regulations of the Municipality as a whole including the Building Regulations have been revised, but they have yet to be approved by the Hon'ble Bye-Laws Committee and the Hon'ble Council and that the Bye-Laws Committee has to be formed afresh, since the new Council came into existence only two days ago. And that the matter will be disposed of early

Submitted for perusal

The Council may be accorded this sanction if no reference is received within 1 month

19.11.24

19/11

NOTE—Contn Sheet

File No 60-18

Serial No. 16

Sus Regr No 22

Shall a Reminder issue to

Chief President
Bangalore

for a reply to this Office No 536, dated the

26/7/21

Subject

Calls for the opinion of the council in the matter of imposing conditions re the contents of a room in the City

Sub D
3/00 7/24

Reminders

No	Date
L. 2112	4.10.24
L 3699	23 12 21
L. 4513	8-2-22
	15-5-23
DO L 5246	28 1 1925
DO L 6419	4 8 1925
DO L 7432	18 4 1925

1/00

Submitted

Issue

Dcs 17/12/24

Sub d

Issue

Dcs 7/2/25

G R S. 72

P 70

GENERAL AND REVENUE SECRETARIAT

The Board, Bangalore - have promised a report in this case but it has not yet been received

D.O. to the Revenue is submitted for approval

11/5

12-5-25

Revenue dept / 7023 dt 15-5-25.

Put up for 30-7-25

11/11/25

Reminder is submitted

15/11

18/11/25

D.O. Reminder Submitted

20/11/25

The file has been standing for over three years and a letter to the Board Bangalore requesting to expedite their proposals in this matter has been received dated

D.O. Reminder to be submitted

11-4-26

It is noticed that this matter is engaging the attention of this Board for several years. Hence the Reminder may be submitted

11/4/26

The case has been pending

D.O. Reminder submitted

25/8/26

E R.S III- -3]

Routine Notes

[To be used only for notes, requisitions, etc, not intended for permanent record]

---

pending since July 1924

HM

1925

Revised draft building bye-laws
Wm Rengarth etc Rhyl Council

The matter has been pending
since July 1924 and the Rhyl
Council have not sent a final
reply yet although many reminders
have been issued (about nine)

HM

The Surveyor was directed to
order that this should be brought
up for early consideration but has
not been possible on account of
the failure of the Rhyl Council
to send the bye-laws

orders are solicited as
to whether the matter should
continue to be kept in this or
some other file pending the
closing of the present one and
bringing up when the bye-laws are received

1 Vol

2/5/25

27+8
24.

The file may be closed & the matter
taken up when bye-laws are received

Yes

NB—Should routine matter on small slips
the notes must be copied, or slips pasted on
this form

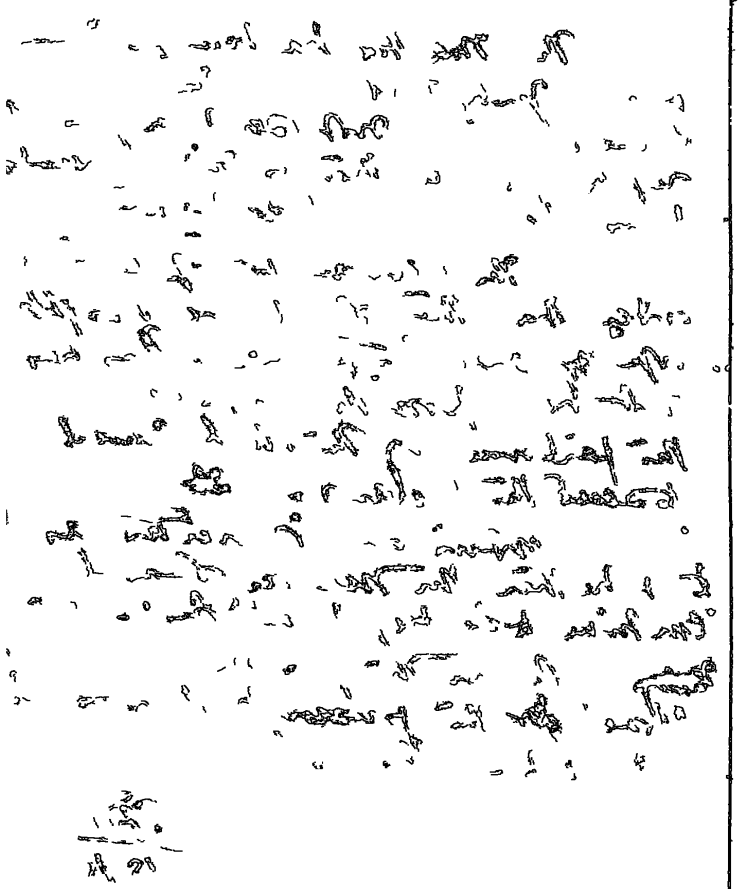
CONTINUE REFERENCE

1925

G.R.S. III—3]

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record.]



N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

No. 2

Office of the Government Advocate in Mysore,
BANGALORE, dated the 3rd July 1919.

From

The Government Advocate in Mysore,
B a n g a l o r e.

The Secretary to the Government of H. H
the Maharaja of Mysore, Revenue Department.

Sir,

In forwarding herewith copy of Judgment in Criminal Appeal No 53/18-19 (Government of Mysore VS H. B Seshagiri Rao), on the file of the Chief Court of Mysore, filed against the order of acquittal passed by the Bench of -- Magistrates, Bangalore City, in Criminal Summary case No 53/1327 of 1917-18, I have the honor to state that the - appeal was heard on the 17th June 1919, with the result - that it was dismissed.

I have the honor to be,
S i r,
Your most obedient servant,

Government Advocate

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

Thursday, the 6th day of March 1919.

P R E S E N T.

SIR LESLIE C. MILLER., Kt., CHIEF JUDGE,

and

MR. JUSTICE C. S. DORASWAMI IYER.

Criminal Appeal No. 53 of 1918-19.

The Government of Mysore (The Bangalore City Municipality). ..... Complainant ..... APPELLANT.

(By Mr. K. Shankaranarayana Rao, Government Advocate).

Vs.

H. B. Seshagiri Rao ..... Accused ..... RESPONDENT.

(By Mr. G. V. Hoover).

Criminal Appeal against the order of acquittal passed by the Bench of Magistrates of Bangalore City (in Summary Criminal Case No. 53/1327 of 1917-18.

This appeal coming on for hearing on Thursday, the 27th day of February 1919, the Court pronounced the following:-

O R D E R.

ORDER.

We find it impossible to deal satisfactorily with this appeal on the materials before us.

The Municipal Council prosecuting a person under section 96 for making a building contrary to legal orders issued under the section, have to prove first that the order made is a legal order.

The order made in the present case laid down certain conditions on which the accused was to be allowed to build an upper storey on the Northern end of his house over his shop. The conditions laid down were that a space of four feet next to West on the Eastern side was to be left vacant, then a 'detachable veranda' was to occupy the next adjoining strip of four feet and behind that the rooms of the building were to be constructed.

Under section 96(2) the Council can prescribe conditions as to level, drainage, sanitation or ventilation, or with reference to the location of the building in relation to any street, or if specially empowered in that behalf, as to design, or materials, or dimensions.

The only evidence to which the Magistrates refer is to the effect that the object of the conditions laid down was not known to the witness, and there is nothing in the order in which they are laid down to indicate whether they are conditions as to level, or drainage, or sanitation or ventilation - or design or dimensions, or location in relation to the street. The learned Government Advocate suggests that they are probably conditions as to ventilation, but it is by no means easy to see how improved

ventilation

ventilation is to be secured by making the room small than that proposed in the applicant's plan, and add a verunda to it.

It may be that we might rightly hold the acquittal good on the ground that the Municipality have failed to prove the legality of their order, but we think we may preferably call for further evidence in the case, especially as the accused has apparently before beginning to build, accepted the conditions laid down in the order the legality of which he now challenges. The Magistrates hold, apparently on an inspection of the house, that the conditions cannot be fulfilled without danger to the building, but we are not satisfied that there is sufficient evidence to prove that, or that the accused has taken that objection to them in time to enable the Municipality to call evidence on the point.

We think in these circumstances that we ought to ask the Magistrates to record evidence on the question whether the order which the Council allege to have been disobeyed was a legal order with reference to the provisions of section 96(2) and also evidence as to the acceptance by the accused of the conditions, and the practicability of erecting the building in accordance with them.

Such evidence as may be offered by either side on these points should be recorded and certified to this Court as early as possible and within one month at the latest.

(Sd) [illegible]

CHIEF JUDGE.

(Sd) [illegible]

JUDGE.

HC.

Friday, the 20th day of June, 1919.

Present.

Sir Leylie C. Miller, Kt., Chief Judge.

and

Mr. Justice C. S. Doraswamy Iyer.

JUDGMENT.

We called for further evidence in this case to enable the Municipal Council to shew that the conditions on which they were prepared to allow the accused to build were conditions which they are by Sec. 96 of the Municipal Regulation entitled to impose.

The learned Government Advocate was unable to point to evidence that the Council have been specially empowered to impose conditions as to the design of new buildings and the evidence does not shew in what respect the plan tendered by the accused was defective in regard to the level, or the ventilation, or sanitation of the proposed building, or with reference to the position of that building relatively to the street.

We are therefore left very much as we were before the evidence was called for, and are unable to say that the accused is proved to be guilty of contravening an order which the Council had power to make.

It is true that he accepted the conditions laid down by the Council, but afterwards, perhaps because he found that to build in accordance with these conditions would entail more difficulty and expense than he had at first thought, he disregarded them and built on the original plan. It

15

In however plain that makes the conditions laid down are conditions which the Council was empowered to make the prosecution under the section cannot succeed, merely on the ground that the accused at first accepted them and afterwards disregarded them. The Council is not empowered to obtain from a criminal Court satisfaction for a breach of any agreement it may choose to make. The offence charged against the accused under section 96 (g) is building in a manner contrary to the legal orders of the Council issued under the section, and the Council has failed to show to the Magistrate or to me that the orders issued were legally issuable under the section.

As matter in these circumstances refuse to interfere with the acquittal and dismiss the appeal.

(Sd) Leslie C Dudley

D.L.P JM.E.

(Sd) C.S Duraiswamiyar

J U D G E.

Copy

Signature

Registrar

SK.

J R S VI—G/32]

SUBJECT, Dismissal of the appeal by the Chief Court ... instituted by the Bangalore Munl Council. or

Diary No of letter replied to 216

Section Jud
File No 60-15
Serial No 13

GENERAL AND REVENUE SECRETARIAT
(Jud)
the 191

No R. 648
30/1/19

Date of issue 30/1/1919

To

The President, Bangalore City Munl Council

13

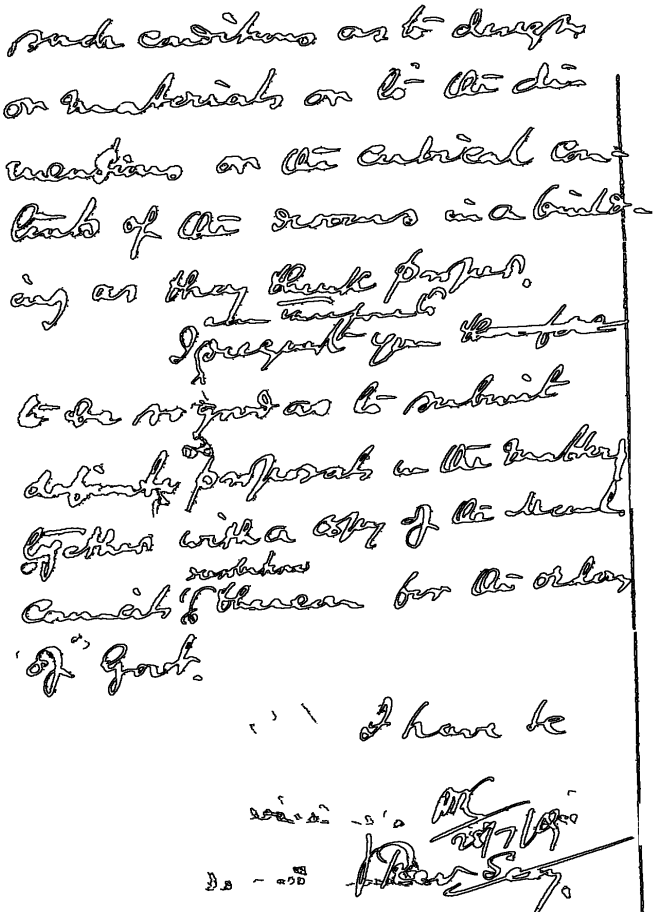
Sir

I am directed to forward for information in Order of G.O. No 9276-7, Jud 60-15-7 dt 24th Jan 1919, a copy of Govt Order in Civil appeal No 53/1917 (Govt of Mysore Vs H.B Shah Sesha-giri Rao) on the file of the Chief Court of Mysore and to suggest that in view of the decision of the Chief Court, it is necessary to specially empower the Munl Council to enforce under Section 96(2) of the Munl Regulation

on behalf of Bangalore City Munlty

appeal lies

over



List of enclos

Copied by

Examined by

WD 1744—GPB—30 000—19-8-19

No 7 Inw tax / 13/7/20.

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, dated 12th July 1920 / 13

D No 530

17-7-20

From

B K GARUDACHAR, Esq,
President, Municipal Council,
BANGALORE CITY

Rs 60-18-15

To

B RAMASWAMAIYA, Esqr, BA, BL,
Secretary to the Government of His
Highness the Maharaja of Mysore, Rev Dept,
Bangalore

Sir,

With reference to your letter No R 1648/M1 60-18-13 dated 30th July 1919 calling for definite proposals of the Municipal Council, under Section 96 (2) of the Municipal Regulation in the matter of empowering the Council to impose conditions as to design or materials or to the dimensions or the cubical contents of the rooms in a building, I have the honor to state that the subject, being an important one, was referred to a select committee of Municipal Councillors and Executive Officers before it was considered by the Council The Select Committee met several times and finally on 13-5-1920 submitted a report for the consideration of the Council This report was considered by the Council at the Meeting held on 12th June 1920 and was approved A copy of the Select Committee's report is submitted herewith for the information and orders of Government together with a copy of the resolution of the Council If Government should approve of the proposals embodied in the Select Committee's report, necessary steps will be taken to amend the existing building bye-laws

I have the honor to be,
Sir,
Your most obedient servant,

From
The President
Cuddy. Municipal Council
Bangalore.

To
The Secretary to Government
Rev Department
Bangalore

Dated } 13th July 1920
Despatched }

Received
15 JUL 1920

General No 7
No

Enclosure No 2

Cuddy Letter. Re Proposals of the Municipal Council under Sec 96 (2) of the Municipal Regln

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Submitting for approval of the Government a copy of the Select Committees report together with a copy of the Resolution of the Council

Proceedings of the Committee appointed to consider the question of making definite proposals as to design or materials &c of the rooms in a building, held on the 13th May 1920.

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Present

1 C V.Narasimha Iyengar, Esqr , 4 S Venkataranga Iyengar, Es
2. Desada Veerabhadra Setty, Esqr , 5 The Chief Officer,
3 B Usman Khan, Esquire, 6 " Health Officer,

7 The Municipal Engineer

Absent

1 B V Ramaswami Chetty, Esqr ,
2 M Ramachandra Rao Sindhe, Esqr

Subject

1 Question of making definite proposals under Section 96 (2) of the Municipal Regulation as to design or materials &c , of the rooms in a building

Resolution - The Committee approve the passing of the following bye-laws to enable the Council to ~~improve~~ more certain conditions as to design or materials or to the dimensions or cubical contents of the rooms of the buildings to be erected hereafter They are of opinion that these bye-laws together with the existing Building Bye-laws and the Provisions of the Municipal Regulation will suffice for the present to regulate the construction of buildings.-

The following additions shall be made to the bye-law No 12 of the Bye-laws under Section 48 (1) (n) & (p) of the Municipal Regulation, published in Notice dated 23rd July 1920 -

(a) The Council shall have the power to fix the ~~external~~ external appearance of buildings and the heights of basements and floors, and to insist upon verandahs and steps being provided for within the area of the site abutting the streets to be specified by the Council in this behalf

(b) No Paliga or Mud Roofed houses or houses with pot-tiled roof shall be allowed to be erected except in cases where the licensing aithority may choose to permit the same on special

Extract from City Municipal Rules and Bye-laws under the Bombay District Municipal Act
Bye-laws under section 48 (n) 96

94

Proceedings of an Ordinary General Meeting of the City Municipal Council, Bangalore, held in the Council Chamber on Saturday the 12th June 1920.

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PRESENT.

D.R.CHANDAVARKAR, Esquire, President, CITY MUNICIPAL COUNCIL.

MUNICIPAL COUNCILLORS.

1. D.Chinnaswami Chetty, Esq.,
2. Doddi Siddabasappa Setty, Esq.,
3. G.V.Narasimha Iyengar, Esqr., BA., BL.,
4. P. Basappa, Esquire,
5. Begada Veerabhadra Setty, Esqr.,
6. C.Siddaveerappa, Esquire,
7. D.Adeppa, Esquire,
8. B.V.Ramaswami Chetty, Esq.B.A.,
9. A.Gopalswami Iyer, Esqr.,
10. M.V.Krishnamurti Rao, Esqr.,
11. N.Krishnappa, Esqr., B.A.,
12. J.Venkatarangia Iyengar, Esqr.
13. M.Venkatasubbiah, Esqr.,
14. M.Abbas Khan, Esquire,
15. Reverend D.A.Rees,
16. D.M.Gnanaprian Pillay, Esqr.
17. B.V.Krishna Iyengar, Esqr.,
18. H.Usman Khan, Esquire,
19. D.K.Narasimhiah, Esqr.,
20. P.Subbarama Chetty, Esqr.,
21. V.D.Krishnaiah, Esq.,

ABSENT.

1. Belur Srinivasa Iyengar, Esq.,
2. L.A.Nourwal, Esquire,
3. M.Subbiah, Esquire,
4. H.Ramaiya, Esquire,
5. J.Venkatachala Iyengar, Esq., BA.,BL.,
6. M.Ramachandra Rao Saheb, Esqr.,

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18. Report of the Committee dated 13th May 1920, submitting certain Draft Bye-laws to empower the Council to impose conditions under Section 96 (2) of the Municipal Regulation as to design or materials or to the dimensions or cubical contents of the rooms in

Provisional Rules and By-laws under the
Bombay District Municipal Act
By-laws under section 48 (n)
2 -Building By-laws

Restrictions on inflammable roofs and walls

By-law 1 - The external roofs and walls of building newly erected or re-erected at distances of more than 50 yards from the nearest building may be of thatch, wood or other inflammable materials, but in no case shall such materials be allowed in any building, any part of which falls within 20 yards of any other building

Foundations

By-law 2 -No person shall erect a building on any foundation other than hard murum or rock without the written consent of the Municipal Engineer Such consent shall not be given unless the Municipal Engineer is satisfied that the foundation is good enough to ensure the stability of the building to be superimposed

Foundations of walls

By-law 3 -Every person who shall erect a new building shall cause the footings of every wall and every post or posts of the ground-floor of such building to rest on the solid ground, or upon a sufficient thickness of concrete, or upon some solid and sufficient structure, as a foundation

Provided that where solid rock is met with at or near the surface at the site of such building, i e , within 3 feet of the level of the base of the wall, the footings may be omitted, if the surface of the rock be properly cleaned and stepped or jagged to receive the first course of masonry

Plinth

By-law 4 -Every person erecting a building intended for human habitation shall construct a plinth for the same up to a level at least 2 feet above that of the highest point in all ground within 10 feet thereof

Footings to walls

By-law 5 -Every person who shall erect a new building shall construct every wall of such building so as to rest upon proper footings to the satisfaction of the Municipal Engineer

He shall cause theprojection of the widest part of the footings of every wall, on each side of such wall, to be at least equal to one-half of the thickness of such wall at its base, unless an adjoining wall interferes, in which

Extract from Crr's Model Rules and By-laws under the Bombay District Municipal Act

By-laws under section 48 (n)

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case the projection may be omitted where that wall adjoins

He shall also cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings, and he shall cause the height from the bottom of the footings to the base of the wall to be at least equal to two-thirds of the thickness of the wall at its base

By-law 6 -Every person erecting a chimney shall so construct it that the upper outlet shall be at a height at least 2 feet above that of the highest dwelling house within 100 feet thereof

Chimney

By-law 7.-For the purposes of the section 96 (6) and by-laws 8 to 12 the following shall be the recognised stages in the erection of a building -

Control of buildings in course of erection

1 Digging for foundations
2 Filling in foundations
3 Construction of plinth
4 Erection of walls
5 Construction of roof
6 All subsequent work

By-law 8 -The person who has given notice to the Municipality under section 96 in respect of any building shall for each stage, if not in charge of the work himself, appoint a person to be in charge on his behalf

By-law 9 -Every person in charge of any stage shall give the Municipal Engineer at least 24 hours' notice of a date and hour at which the work will be ready for inspection up to the end of that stage

Progress reports

By-law 10 -No person in charge of the 2nd or any subsequent stage shall, except with the written permission of the Municipal Engineer or his authorised representative, start his work before the date and hour notified under by-law 9 in respect of the last previous stage

When work must be in abeyance

By-law 11.-No person in charge of any stage shall, except with the written permission of the Municipal Engineer or his authorised representative continue his work after

the

the issue of any requisition under section 96 (6) in respect of that or any previous stage unless the requisition has been fully complied with and the fact duly reported to the Municipal Engineer

Form of notices

By-law 12 -All notices, requisitions, permit and report under by-laws 9 to 11 or section 96 (6) shall be invalid unless written in Form A which shall be supplied by the Municipal Engineer with parts I and II duly filled in to the person giving notice under section 96, a separate form for each separate building

Explanation -Notice under by-law 9 shall be deemed to have been duly given when the person giving notice has made the proper entries in column 2 of Part IV of Form A and got column 3 properly filled in by the Chief Officer, the Secretary, Chairman, Managing Committee, or any Chairman or Inspector under the Public Works Department Committee

Form A to be kept on the work

By-law 13 -The Chief Officer shall supply Form A, duly filled in so far as may be up to date, to the person who has given notice under section 96, as soon as the Municipality's final orders are passed, and such person shall arrange for the Form to be kept (except when taken to the Municipal Office to be filled in) on the work by the person in charge, who shall produce it for inspection whenever required to do so by any Municipal Officer

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"Form A

(Vide By-laws 12, 13)

Building Progress Report

I Notice dated received from on

in respect of building at

II Nature of work contemplated --

III Number, date, and substance of Municipality's final orders under section 96.

IV -

Stage	Date and hour notified under by-law 9 and signature of person giving notice	Signature of person receiving notice with date	Date and hour of inspection by engineer or deputy with signature	Substance of orders passed on inspection with date of delivery
1 Digging for foundations 2 Filling in foundations 3 Construction of plinth 4 Erection of walls 5 Construction of roof 6 All subsequent work				Here should be entered "work may proceed" or "requisition no I issued "(Vide Part V) or as the case may be

V -

Serial No of requisition	Requisition issued under section 96(6)	Report of compliance under by-law 11 with date	Engineer's orders on report of compliance
No I			

Column 2 of Part IV and column 3 of Part V are to be filled in by the person concerned all the rest will be filled in the Municipality

Note —Page 2 may be detached by the owner Only the form on page 1 need be forwarded to the Executive Engineer.

Extracts from the City of Bombay Municipal Act of 1888, *as amended by Act of* 1905

BUILDING REGULATIONS.

Notices regarding Erection of Buildings

Notice to be given to Commissioner of intention to erect a building

337 (1) Every person who shall intend to erect a building shall give to the Commissioner notice of his said intention in a form obtained for this purpose under Section 344 specifying the position of the building intended to be erected the description of building the purpose for which it is intended its dimensions and the name of the person whom he intends to employ to supervise its erection

(2) In this chapter to erect a building means

(*a*) newly to erect a building or

(*b*) to re-erect

(i) Any building of which more than three-quarters of the cubical contents of the building above the level of the plinth have been pulled down or

(ii) Any masonry walled building of which more than three-quarters of the superficial area of the external walls above the level of the plinth has been pulled down, or

(iii) Any frame-building, of which more than three-quarters of the number of posts have been pulled down or

(*c*) to convert into a dwelling house any building not originally constructed for human habitation or

(*d*) to convert into more than one dwelling house a building originally constructed as one dwelling house only

and a dwelling so erected re-erected or converted is called in this chapter a new building

Commissioner may require plans and other documents to be furnished

338 (1) At any time within thirty days after receipt of any notice under Section 337, the Commissioner may by written notice require the person who has given the notice first hereinbefore in this Section mentioned to furnish to the Commissioner all or any of the following documents (namely) —

(*a*) Correct plans and sections of every floor of the building intended to be erected which shall be drawn to a scale of not less than one inch to every eight feet and shall show the position form dimensions and means of ventilation of and of access to the several parts of such building and its appurtenances and the particular part or parts thereof which are and those which are not intended to be used for human habitation and in the case of a building intended to be used as a dwelling house for two or more families or for carrying on any trade or business in which a number of people exceeding twenty may be employed or as a place of public resort the means of ingress and egress Such plans and sections shall also show the depth and nature of the foundations and the proposed dimensions of all the walls posts columns beams joists and all girders and scantlings to be used in the walls, staircases, floors and roofs of such building

(*b*) A specification of each description of work proposed to be executed and of the materials to be employed Such specification shall include a description of the proposed method of drainage of the building intended to be erected and of the sanitary fittings to be used and also of the means of water supply and shall if required by the Commissioner be supplemented by detailed calculations showing the sufficiency of the strength of any part of such building

(*c*) A block plan of such building which shall be drawn to the scale of the largest revenue survey map at the time being in existence for the locality in which the building is, or is to be situated and shall show the position and appurtenances of the properties if any, immediately adjoining the width and level of the street if any, in front and of the street if any, at the rear of such building the levels of the foundations and lowest floor of such building and of any yard or ground belonging thereto and the means of access to such building

(*d*) A plan showing the intended line of drainage of such building and the intended size, depth and inclination of each drain and the details of the arrangement proposed for the ventilation of the drains

338 (*2*) At any time within the said period the Commissioner may also by written notice require the said person to open for inspection any portion or portions of the intended foundations, or any portion or portions of the foundations or walls of the existing building

Commissioner may require plans, &c, submitted under last preceding section to be prepared by a licensed surveyor

339 The Commissioner may decline to accept any plan section or description as sufficient for the purposes of the last preceding section which does not bear the signature of a licensed surveyor in token of its having been prepared by such surveyor or under his supervision

Additional information and the attendance of the person who gave the notice may be required

340 If the notice given under Section 337 and the documents, if any furnished under Section 338 do not supply all the information which the Commissioner deems necessary to enable him to deal satisfactorily with the case the Commissioner may at any time within thirty days after receipt of the said documents by written notice require the production of such further particulars and details as he deems necessary

Effect of non-compliance with requisition under Section 338 or 340.

341 If any requisition made under Section 338 or 340 is not complied with the notice given under Section 337 shall be deemed not to have been given

Notices regarding execution of works not amounting to the erection of a Building

Notice to be given to the Commissioner of intention to make additions, &c, to a building

342 Every person who shall intend

(*a*) to make any addition to a building or

(*b*) to make any alteration or repairs to a building not being a frame building, involving the removal or re-erection of any external or party wall thereof or of any wall, which supports the roof thereof to an extent exceeding one-half of such wall above the plinth level, such half to be measured in superficial feet or

(*c*) to make any alteration or repairs to a frame building involving the removal or re-erection of more than one half of the posts in any such wall thereof as aforesaid or involving the removal or re-erection of any such wall thereof as aforesaid to an extent exceeding one half of such wall above plinth level such half to be measured in superficial feet or

(*cc*) to make any alteration in a building involving—

(*i*) the sub-division of any room in such building so as to convert the same into two or more separate rooms

(*ii*) the conversion of any passage or space in such building into a room or rooms or ,

(*d*) to remove or re-construct any portion of a building abutting on a street which stands within the regular line of such street

shall give to the Commissioner in a form obtained for this purpose under Section 344 notice of his said intention specifying the position of building in which such work is to be executed the nature and extent of the intended work the particular part or parts if any of such work which is or are intended to be used for human habitation and the name of the person whom he intends to employ to supervise its execution

Plans and additional information may be called for

343 (*1*) If any notice given under the last preceding Section does not supply all the information which the Commissioner deems necessary to enable him to deal satisfactorily with the case he may at any time within thirty days after receipt of the said notice by written notice require the person who gave the notice first hereinbefore in this section mentioned to furnish plans and sections of the building and of the intended new work or of any specified portion of the intended new work,

and the provisions of Sections 338, 339 340 and 341 shall apply to the intended new work so far as the Commissioner may consider them to be applicable

(2) The Commissioner may also at any time within the said period by written notice require the said person to open for inspection any portion or portions of the foundations or walls of the existing building

Forms of Notices

Printed forms of notices to be supplied to the public

344 (1) The Commissioner shall cause printed forms of notices for the purposes of Section 337 or 342 to be delivered to any person requiring the same on payment of such fee not exceeding eight annas for each form as shall from time to time be prescribed in this behalf by the Commissioner with the approval of the Standing Committee

(2) There shall be printed on the reverse of every such notice or on a separate paper supplied without extra charge therewith, copy of Sections 337 338 339 340 341 342 343 344A 345 346 347 348 349A 349B 349C and 349D and of all bye laws made under clauses (*c*) (*d*) and (*e*) of Section 461 at the time in force

Commencement of Work

Supervision of Buildings and works

344A (1) Every person who intends to erect a building or execute any such work as is described in Section 342 shall employ a person who shall be competent to the satisfaction of the Commissioner to supervise the erection of such building or the execution of such work

(2) The Commissioner may in each case require that the person to be so employed shall be a licensed surveyor and the Commissioner shall within seven days from the receipt of the notice of intention under Section 337 or 342 as the case may be

(*a*) approve the person named therein to supervise the building or work or

(*b*) return the said notice for amendment if the person so named

(*i*) is not a licensed surveyor and

(*ii*) is not in the opinion of the Commissioner a fit and proper person to supervise a building or work

(3) A notice of intention returned for amendment under Sub-section (2) shall be deemed not to have been given until it has been re-submitted duly amended

(4) Where the person so employed dies or ceases to be so employed before such building or work is completed the further erection of such building or the further execution of such work, shall forthwith be suspended until

(*a*) a licensed surveyor whose name shall be forthwith reported to the Commissioner, or

(*b*) another person approved by the Commissioner has been so employed

When building or work may be proceeded with

345 If within thirty days after receipt of any notice under Section 337 or 342 or of the plan section description or further information if any called for under Section 338 340 or 343 as the case may be the Commissioner fails to intimate in writing to the person who has given the said notice his disapproval of the building which the said person proposes to erect or of the work which he proposes to execute or if within the said period the Commissioner signifies in writing to the said person his approval of the said building or work

the said person may at any time within one year from the date of the delivery of the notice to the Commissioner proceed with the said building or work in accordance with his intention as described in the notice or in any of the documents aforesaid but not so as to contravene any of the provisions of this Act or any bye law made under this Act at the time in force

Building work which is disapproved by the Commissioner may be proceeded with subject to terms

346 (1) If the Commissioner disapproves of any building or work of which notice has been given as aforesaid or of any portion or detail thereof by reason that the same will contravene some provision of this Act or some bye law made thereunder at the time in force or will be unsafe he may at any time within thirty days of the receipt of the notice or of the plan, section description or further information if any, called for under Sections 338 340 343 as the case

may be by a written notice intimate to the person who gave the notice first hereinbefore in this section mentioned his said disapproval and the reason for the same, and prescribe terms subject to which the building or work may be deemed to be approved by him

(2) The person who gave the notice concerning any such building or work may proceed with the same subject to the terms prescribed as aforesaid but not otherwise at any time within one year from the date of receipt by him under Sub-section (1) of the written notice in this behalf, but not so as to contravene any of the provisions of this Act or any bye law made hereunder at the time in force

When work may be commenced

347 (1) No person shall commence to erect any building or to execute any such work, as is described in Section 342

(*a*) until he has given notice of his intention as hereinbefore required to erect such building or execute such work and the Commissioner has either intimated his approval of such building or work or failed to intimate his disapproval thereof within the period prescribed in this behalf, in Section 345 or 346

(*aa*) until he has given notice to the Municipal Executive Engineer of the proposed date of commencement Where the commencement does not take place within seven clear days of the date so notified the notice shall be deemed not to have been given

(*b*) after the expiry of the period of one year prescribed in Sections 345 and 346, respectively for proceeding with the same

(2) If a person who is entitled under Section 345 or 346 to proceed with any building or work fails so to do within the period of one year prescribed in the said sections respectively for proceeding with the same he may at any subsequent time give fresh notice of his intention to erect such building or execute such work and thereupon the provisions hereinbefore contained shall apply as if such fresh notice were a first notice of such person s intention

Building not to be converted to other purposes without the permission of the Commissioner

347A No person shall, without the written permission of the Commissioner

(*a*) use or permit to be used for human habitation any part of a building not originally constructed or authorised to be used for that purpose or

(*b*) convert into or use or permit to be used as a chawl or building intended to form range of separate rooms for lodgers, a building not originally designed or authorised to be so used

Provisions as to Structure, Materials, &c

Provisions as to buildings which are to be newly erected

348 (1) With respect to buildings which are to be newly erected, the following provisions shall have effect, namely

(*a*) The erection of any such building on either side of a new street may be disapproved by the Commissioner unless and until such new street has been levelled metalled or paved sewered and drained to the satisfaction of the Commissioner

(*b*) The erection of any such building in any part of the City in which the position and direction of the streets likely to be required in the future have not yet been laid down or determined shall with the assent of the Standing Committee be disapproved by the Commissioner unless the site proposed for such building is in the opinion of the Commissioner such as with reference to the positions occupied by the buildings if any already existing in the neighbourhood will admit of the construction in the future of one or more new streets convenient for the occupiers of all the buildings in the neighbourhood and for the purposes of drainage water supply and ventilation provided that any person whose building is so disapproved may by written notice to the Commissioner require that the position and direction of the future streets in the vicinity of his intended building be forthwith laid down and determined and if such requisition be not complied with within six months from the date thereof may subject to all other provisions of this Act applicable thereto proceed with the erection of his building

(*c*) The foundation of any such building shall not be constructed on any site which has been filled up with or has been used as a place for depositing excrementitious matter or the carcasses of dead animals or other filthy or offensive matter until such matter shall have been properly removed to the satisfaction of the Commissioner

(*d*) Every such building intended to be used as a dwelling shall be built with a plinth at least two feet above the centre of the nearest street and not below such standard level as may be fixed by the Commissioner in this behalf

(*e*) In addition to any means of ventilation required by any bye law made under this Act at the time in force every such building intended to be used as a dwelling shall be so constructed that the whole of at least one side of every room thereof shall either be an external wall or abut on an interior open space Such external wall except where it faces a street not less than 15 feet in width shall have between it and the boundary-line of the owner s premises an open space extending throughout the entire length of such wall at least two feet wide or in the case of a chawl or building intended to form a range of separate rooms for lodgers at least five feet wide Such interior open space shall have an area equal to not less than one tenth of the aggregate floor area of all the rooms abutting thereon and shall not be in any direction less than six feet across And every open space whether exterior or interior required by this clause shall be and be kept free from any erection thereon and open to the sky and shall be and be kept open to access from each end thereof

(*f*) Every room intended to be inhabited in any such building except a room in the roof thereof shall be in every part at least ten feet in height from the floor to the ceiling

(*g*) Every such room in the roof of any such building shall have an average height of at least eight feet from the floor to the ceiling and a minimum height of not less than four feet

(*h*) Every such room shall have a clear superficial area of not less than one hundred square feet

(*i*) In addition to any means of ventilation required by any bye law made under this Act at the time in force every such room shall be ventilated by means of doors or windows which open directly into the external air and have an aggregate opening equal to not less than one-fourth of the superficial area of the side of the room which faces an open space

(*j*) Huts or sheds or ranges or blocks of huts or sheds, whether the same are to be used as dwellings or stables or for any other purpose shall be built if the Commissioner thinks fit so to require—

(*i*) so that they may stand in regular lines with a free passage or way in front of and between every two lines of such width as the Commissioner thinks proper for ventilation and for facilitating scavenging and

(*ii*) with such and so many privies latrines and urinals and such means of drainage as the Commissioner deems necessary and

(*iii*) at such a level as will suffice for the means of drainage required by the Commissioner

(2) Nothing in clause (*a*) shall be deemed to effect the power of Government to determine under Section 38 of the Bombay Port Trust Act 1879 any dispute which arises between the Trustees of the Port of Bombay and the Commissioner, as to whether any road within the limits of the property of the said Trustees has been duly levelled metalled or paved sewered and drained

Roofs and external walls of buildings not to be of inflammable materials

349 (1) No external wall and no covering of a roof built or renewed since the Bombay Municipal Act 1872 came into force shall except with written permission of the Commissioner consist of wood cloth canvas grass leaves mats or any other inflammable material

(2) If any external wall or covering of a roof is or has been since the said Act came into force constructed of any such material the Commissioner may by written notice require the owner or occupier of the building to which such wall or roof appertains to remove such wall or covering

Maximum height of buildings

349A (1) Except with the written permission of the Commissioner no building shall be erected or raised to a greater height than seventy feet as measured from the level of the centre of the street in front

(*a*) in the case of a pitched roof up to the tie beam of the roof and

(*b*) in the case of a flat roof up to the surface of the roof

(2) In the case of pitched roof, the roof above that height shall rise at an angle of not more than forty five degrees

(3) In the case of a flat roof, a parapet of not more than three feet in height may be constructed above the maximum height specified in sub-section (1)

Height of buildings with reference to width of streets

349B Subject to the maximum prescribed by Section 349A, the height to which a building may be erected or raised shall be regulated by the width of the street on which it abuts in accordance with the following rules namely —

(1) if the width of the street does not exceed twenty-six feet, the building shall not be erected or raised to a height greater than one and one half times the width of the street

(2) if the width of the street exceeds twenty-six feet but does not exceed forty feet, the building shall not be erected or raised to a height greater than forty feet and

(3) if the width of the street exceeds forty feet, the building shall not be erected or raised to a height greater than the width of such street

(4) where the building abuts upon more than one street its height shall be regulated by the wider of such street so far as it abuts upon such wider street and also to a distance of eighty feet from such wider street, so far as it abuts upon the narrower of such streets

Provision in case of set back

Provided that if the face of the building is set back from the street at any height not exceeding the height specified in sub-section (1), sub-section (2) or sub-section (3) as the case may be such building may be erected or raised to a height greater than that so specified, but not so that any portion of the building shall intersect any of a series of imaginary straight lines drawn from the line of set back in the direction of the portion set-back at an angle of forty five degrees with the horizontal

Frame buildings

349C After the commencement of this Act no building the external walls of which are of timber-framed construction shall be erected or re-erected so as to consist of more than one ground-floor and one upper storey

Provided that the Commissioner may by special order grant permission for the erection of such a building of more than two storeys or for the construction of one or more additional storeys if satisfied that such building will be or is of thoroughly sound material and construction and can safely support the same

Provision of sufficient means of egress

349D Where the Commissioner is of opinion that the means of egress from any building are insufficient to allow of safe exit in the event of fire, he may with the approval of the Standing Committee by written notice, require the owner or occupier of the building to alter or reconstruct any existing stair-case in such manner, or to provide such additional or emergency stair-cases, as he may prescribe

Inspection

Completion certificates, permission to occupy or use

353A (1) Every person who employs a licensed surveyor or person approved by the Commissioner to erect a building or execute any such work as is described in Section 342 shall within one month after the completion of the erection of such building or the execution of such work deliver or send or cause to be delivered or sent to the Commissioner at his Office notice in writing of such completion accompanied by a certificate in the form of Schedule T signed by the person employed under Section 344A who is hereby required immediately upon completion of the work and upon demand by the person employing him to sign and give such certificate to such person and shall give to the Commissioner all necessary facilities for the inspection of such building or of such work

provided that

(*a*) such inspection shall be commenced within seven days from the date of receipt of the notice of completion and

(*b*) the Commissioner may within seven days from the date of commencement of such inspection by written intimation addressed to the person from whom the notice of completion was received and delivered at his address as stated in such notice or in the absence of such address affixed to a conspicuous part of the building to which such notice relates

(i) give permission for the occupation of such building or for the use of the building or part thereof affected by such work, or

(ii) refuse such permission in case such building has been erected or such work executed are so as to contravene any provision of this Act or of the bye-laws

(2) No person shall occupy or permit to be occupied any such building or use or permit to be used the building or part thereof affected by any such work until

(a) the permission referred to in proviso (b) to sub-section (1) has been received or

(b) the Commissioner has failed for twenty-one days after receipt of the notice of completion to intimate as aforesaid his refusal of the said permission

Works unlawfully carried on

Power of Commissioner to direct removal of person directing

354A Where the erection of a building or the execution of any such work as is described in Section 342 has been unlawfully commenced or is being unlawfully carried on upon any premises the Commissioner may after three days notice direct that any person directing or carrying on such erection or execution shall be removed from such premises by any Police Officer

SCHEDULE T

(see Section 353 A sub-section (1))

uilding Completion Certificate

I do hereby certify that the following building work (insert full particulars of the work),

has been supervised by me and has been completed to my satisfaction that the workmanship and the whole of the materials used are good and that no provision of the Act or the By laws and no requisition made condition prescribed or order issued thereunder has been transgressed in the course of the work

(*Signed*) _____

(*Date*) _____

WATER-CLOSETS, PRIVIES, URINALS, &c.

246A (1) It shall not be lawful to construct any water-closet or privy for any premises except with the written permission of the Commissioner and in accordance with such terms not being inconsistent with any bye law for the time being in force as he may prescribe

Construction of water-closets and privies

(2) In prescribing any such terms, the Commissioner may determine in each case—

(*a*) whether the premises shall be served by the water-closet or by the privy system, or partly by one and partly by the other and

(*b*) what shall be the site or portion of each water-closet or privy

(3) If any water-closet or privy is constructed on any premises in contravention of sub-section (1) the Commissioner may after giving not less than ten days notice to the owner or occupier of such premises, close such water-closet or privy and with the previous approval of the Standing Committee alter or demolish the same and the expenses incurred by the Commissioner in so doing shall be paid by such owner or occupier or by the person offending

247 (1) It shall not be lawful newly to erect or re-erect any building for or intended for human habitation or at or in which labourers or workmen are to be employed without such water-closet or privy accommodation, and such urinal accommodation and accommodation for bathing or for the washing of clothes and domestic utensils as the Commissioner may prescribe

Water-closet and other accommodation in buildings newly erected or re-erected

(2) In prescribing any such accommodation the Commissioner may determine in each case—

(*a*) whether such building shall be served by the water-closet or by the privy system or partly by one and partly by the other

(*b*) what shall be the site or position of each water-closet, privy, urinal or bathing or washing place and their number

248 (1) Where any premises are without a water-closet or privy or urinal or bathing or washing place or if the Commissioner is of opinion that the existing water-closet or privy or urinal or bathing or washing place accommodation available for the persons occupying or employed in any premises is insufficient or on any sanitary grounds objectionable the Commissioner may with the previous approval of the Standing Committee, by written notice, require the owner of such premises—

Where there is no such accommodation, or the accommodation is insufficient or objectionable

(*a*) to provide such or such additional water-closet, privy urinal or bathing or washing place accommodation as he prescribe

(*b*) to make such structural or other alteration in the existing water-closet privy urinal or bathing or washing place accommodation as he prescribes or

(*c*) to substitute water-closet accommodation for any privy accommodation

(2) Provided that where the water-closet privy, urinal or bathing or washing place accommodation of any premises—

(*a*) has been and is being used in common by the persons occupying or employing in such premises and any one or more other premises or

(*b*) is in the opinion of the Commissioner likely to be so used

the Commissioner may if he is of opinion that such accommodation is sufficient to admit of the same being used by all the persons occupying or employed in all such premises direct in writing that separate water-closet privy urinal or bathing or washing place accommodation need not be provided on or for each of such other premises

(3) Provided also that the Commissioner may if he is of opinion that there is sufficient Municipal latrine accommodation available for all the persons occupying or employed in any premises, direct that separate water-closet privy or urinal accommodation need not be provided for such premises

(4) Any requisition under sub-section (1 may comprise any detail specified in sub-section (2) of Section 247

Power of Commissioner as to unhealthy privies

249A Where the Commissioner is of opinion that any privy is likely by reason of its not being sufficiently detached from any building to cause injury to the health of any person occupying such building the Commissioner with the previous approval of the Standing Committee may, by written notice require the owner or occupier of the premises in or on which such privy is situate either—

(*a*) to so close up such privy as to prevent any person using the same and to provide in lieu thereof such water-closet or privy accommodation, or such urinal accommodation as the Commissioner may prescribe

(*b*) to provide between the said privy and any portion of the said building such air space not exceeding three feet in width open to the sky and situate entirely within the limits of the said premises as the Commissioner may prescribe

Provisions as to privies

250 (1) The owner or occupier of any premises on which there is a privy shall—

(*a*) have between such privy and any building or place used or intended to be used for human habitation, or in which any person may be or may be intended to be employed in any manufacture, trade or business, an air-space of at least three feet in width and open to the sky

(*b*) have such privy shut off by a sufficient room and wall or fence from the view of persons dwelling in the neighbourhood or passing by

(*c*) unless and except for such period as he shall be permitted by the Commissioner under the power next hereinafter conferred to continue any existing door or trap-door close up and not keep any door or trap-door in such privy opening on to a street

(2) Provided tthat the Commissioner may permit the continuance for such period as he may think fit of any existing door or trap-door in a privy opening on to a street if a nuisance is not thereby created

(3) Provided also that clause (*a*) shall not be deemed to apply to any privy in existence when this Act comes into force unless—

(*d*) there is space available on the premises of the owner or occupier for the erection of a new privy conformably to the said clause and

(*e*) the existing privy can be removed and a new one erected as aforesaid without destroying any portion of a permanent building other than the existing privy

Provisions as to water-closets

251 The owner or occupier of any premises on which there is a water-closet shall—

(*a*) have such water-closet divided off from any part of a building or place used or intended to be used for human habitation or in which any person may be, or may be intended to be employed in any manufacture trade or business by such means as the Commissioner shall deem sufficient

(*b*) have such water-closet in such a position that one of its sides at least shall be an external wall

(*c*) have the seat of such water-closet placed against an external wall

(*d*) cause such water-closet to be provided with such means of constant ventilation as the Commissioner shall deem adequate by a window or other aperture in one of the walls of such water-closet opening directly into the external air or by an air shaft or by some other suitable method or appliance

(*e*) have such water-closet supplied by a supply cistern and flushing apparatus and fitted with a soil-pan or receiver and such other appliances of such materials size and description as the Commissioner shall deem necessary provided always a cistern from which a water closet is supplied shall not be used or be connected with another cistern which is issued for supplying water for any other purpose

Position of privies and water closets

251A No person shall build a privy or water-closet in such position or manner as—

(*a*) to be directly over or directly under any room or part of a building other than another privy or water-closet or a bathing place bath room or terrace

(*b*) to be within a distance of twenty feet from any well or from any spring tank or stream, the water whereof is or is likely to be used (whether in a natural or manufactured state), for human consumption or domestic purposes, or otherwise render the water of any well, spring, tank or stream liable to pollution

Use of places for bathing or washing clothes or domestic utensils

251B No person shall use or permit to be used as a bathing place or as a place for washing clothes or domestic utensils, any part of any premises which has not been provided with all such appliances and fittings as shall in the opinion of the Commissioner be necessary for collecting the drainage thereof and conveying the same therefrom

Work to be done by licensed plumber permission to use as drain

259A (1) No person shall permit any work described in this chapter to be executed except by a licensed plumber

(2) Every person who employs a licensed plumber to execute any such work shall when so required, furnish to the Commissioner the name of such plumber

(3) Every such person shall within one month after completion of any such work and before permitting the same or any portion thereof to be filled in or covered over deliver or send or cause to be delivered or sent to the Commissioner at his office notice in writing of the completion of such work accompanied by a certificate in the form of Schedule S signed by the licensed plumber by whom the same has been executed who is hereby required immediately upon completion of the work and upon demand by the person employed him to sign and give such certificate to such person, and shall give to the Commissioner all necessary facilities for the inspection of such work

Provided that—

(*a*) such inspection shall be made within seven days from the date of receipt of the notice of completion and

(*b*) the Commissioner may within seven days after such inspection by written intimation addressed to the person from whom the notice of completion was received and delivered at his address as stated in such notice or in the absence of such address, affixed to a conspicuous part of the premises in which such work has been executed

(*i*) give permission for the filling in or covering over of such work, or

(*ii*) require that before such work is filled in or covered over it shall be amended to the satisfaction of the Commissioner in any particular in respect of which it is not in accord with a requisition previously made by the Commissioner or contravenes some provision of this Act or of the bye-laws under this Act

(4) No person shall permit any such work to be used as a drain or part of a drain until—

(*a*) the permission referred to in proviso (*b*) to sub-section (3) has been received, or

(*b*) the Commissioner has failed for fourteen days after receipt of the notice of completion to intimate as aforesaid his refusal of permission for the filling in or covering over of such work

SCHEDULE S.

(See Section 259A Sub-section (3))

Drainage Completion Certificate

I do hereby certify that the following work (insert full particulars of the work),

has been completed to my satisfaction that the workmanship and the whole of the materials used are good and that no provision of the Act or the bye-laws, and no requisition made, condition prescribed or order issued thereunder has been transgressed in the course of the work.

(*Signed*)_____

(*Date*)_____

Bye-laws with respect to Buildings made by the Municipal Corporation of the City of Bombay in exercise of the powers conferred by Section 461 (a), (c), (d) and (dd) of the City of Bombay Municipal Act, 1888, as amended upto 1916 and confirmed by Government under Section 463 of the Act (vide Government Notification, General Department, No 1271, dated the 15th March 1910, published in the Bombay Government Gazette, dated the 24th March 1910, and Government Notification, General Department, No 8553, dated the 21st December 1916, published in the Bombay Government Gazette, dated the 28th December 1916, Government Notification, General Department, No 3362, dated the 24th April 1919, published in the Bombay Government Gazette, dated the 1st May 1919, and Government Notification, General Department, No 95-P, dated the 26th June 1919, published in the Bombay Government Gazette, dated the 3rd July 1919)

INTERPRETATION OF TERMS

1 In the construction of the bye laws hereinafter contained the following words and expressions shall have the meanings hereinafter respectively assigned to them unless such meanings be repugnant to or inconsistent with the context or subject matter in which such words or expressions occur that is to say—

Interpretation of terms

Words importing the singular number shall include the plural and the singular and word importing the masculine gender shall include females

Person includes any body of persons corporate or unincorporated

The Act means the City of Bombay Municipal Act 1888 as amended by the City of Bombay Municipal (Amendment) Act 1905 and includes any Act which may hereafter be passed in substitution for or amendment of the said Act

The Commissioner means the Municipal Commissioner for the City of Bombay appointed under section 54 of the Act and includes an Acting Commissioner appointed under sub-section (3) of section 59 of the Act

The Engineer means the Municipal Executive Engineer appointed under section 74 of the Act and includes an Acting Executive Engineer appointed under the Act

Base applied to a wall means the underside of the course immediately above the plinth if any or in the case of a wall carried by a bressummer immediately above such bressummer or in the case of a building having no plinth immediately above the footings

Footing means the projecting courses at the base of a wall to spread the weight over a larger area

Bressummer means a wooden beam or a metallic girder which carries a wall

Plinth means the portion of the external wall between the level of the street and the level of the floor first above the street and except in the case of stables godowns and buildings of the warehouse class shall in no part be less than two feet above the level of the centre of the adjacent portion of the nearest street or below such standard level as may from time to time be fixed by the Commissioner

Top most storey means the uppermost storey in a building whether constructed wholly or partly in the roof or not and whether used or constructed or adapted for human habitation or not

Party wall means—

(*a*) A wall forming part of a building and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adapted to be occupied by different persons or

(*b*) A wall forming part of a building and standing in any part of the length of such wall to a greater extent than the projection of the footing on one side on grounds of different owners

External wall means an outer wall of a building not being a party wall even though adjoining to a wall of another building

"Post means an upright piece of the timber placed directly under, and in immediate contact with and supporting or assisting to support, any template, girder, beam or plate which carries part of the load of the structure in which it is erected

Public building' except where otherwise defined, means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public workshop, or as a hospital college school (not being merely a dwelling-house so used) hotel, restaurant (not being merely a shop so used) theatre public hall public concert-room, public lecture-room, public exhibition room or as a public place of assembly or entertainment for persons admitted thereto by tickets, or otherwise, or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose

Building of the warehouse class means a warehouse factory manufactory, brewery, or distillery or other place in which operations are conducted by mechanical power

Domestic building means a dwelling house or an office building or other out-building, appurtenant to a dwelling house, whether attached thereto or not or a shop or any building not being a public building or a building of the warehouse class

Dwelling house means a building used or constructed or adapted to be used wholly or principally for human habitation

Masonry walled building means a building the external walls of which are constructed of brick, stone or other similar material without the aid of timber iron or steel framing

Frame building means a building the external walls of which are constructed of timber, iron or steel framing filled in or wholly or partially covered with brick stone, iron plates or other material and the stability of which depends mainly upon such framing

Open building means a shed or other structure consisting of a ground floor storey covered with a roof erected on posts without any filling between such posts, either of masonry iron sheets or any other materials and no such structure shall be deemed to be the subject of or referred to in any of the following bye laws save where the expression open building is used to denote the same

Composite building means a building of which part is masonry walled building and part is either open building or frame building or a building of which part is open building and part is of frame building to each of which classes of building the bye-laws relating to masonry walled buildings open buildings and frame buildings respectively, shall apply

Chal means a building so constructed as to be suitable for letting in separate tenements each consisting of a single room or of two rooms but not of more than two rooms

Brick means an artificially made block of clay or of lime and sand prepared under pressure with steam or of sand and Portland cement each not exceeding 10 inches in length 5 inches in breadth and 3½ inches in depth and capable of sustaining of pressure of not less than 450 lbs to the square inch

Privy on the intermediate system means a privy the excrementitious matter from which is collected in a suitable receptacle on the ground floor and flushed therefrom with water at regular fixed intervals by means of an automatically discharging tank fixed at a height of not less than 6 feet above the receptacle and kept continually supplied with water by means of a separate supply tank

The expression construction work on a building shall include not only the erection of a building as defined in sub-section (2) of section 337 of the Act but also the re-erection of a building and the execution of any such work as is described in section 342 of the Act

Provided that in the case of any work undertaken under section 342 (*d*) this definition shall, if the set back be not taken, apply only to the extent to which the work is covered by section 342 (*b*) or (*c*) and if the set back be enforced it shall not apply to any portion of the building other than the portion under reconstruction

Fire Resisting Material The expression fire-resisting material includes any of the following materials and things namely —

(*a*) Brickwork constructed of good hard sound well burnt bricks stone or other hard and incombustible materials properly bonded and solidly put together —(i) with mortar well compounded of not less than one part of good fresh burnt lime and not more than two parts of clean sharp sand or other like and suitable material to be approved by the Commissioner (ii) with good cement or (iii) with good cement mixed with sand or other suitable material to be approved as aforesaid

(*b*) Iron and steel

(*c*) Oak and teak and other hard timber when used for beams and posts, or in combination with iron the timber and the iron (if any) being protected by plastering or other incombustible or non-conducting external coating not less than 2 inches in thickness or in the case of timber not less than one inch in thickness on iron lathing

(*d*) Slate, tiles, brick and terra-cotta when used for coverings or corbels

(*e*) Flagstones when used for floors over arches, but not exposed on the underside and not supported at the ends only

(*f*) Concrete not less than 4 inches in thickness composed of broken bricks stone chippings, or ballast and lime cement or calcined gypsum when used for filling in between joists of floors

(*g*) Any combination of concrete and steel or iron

(*h*) Any other material from time to time approved in this behalf by the Commissioner.

These bye-laws shall have no application to any works to be done on or to any already existing building unless, and except to the extent to which such work is such as is described in section 342 of the Act

A person shall be deemed to do or omit or fail to do any act or thing who does or omits of fails to do such act or thing either in the capacity of an owner agent of an owner contractor agent of a contractor builder agent of a builder surveyor or person in charge of any building operations

Delegation of powers duties and functions of Commissioner

2 Any of the powers duties or functions conferred or imposed upon or vested in the Commissioner by any of the following bye-laws may be exercised performed or discharged under the Commissioner's control and subject to his revision and to such conditions and limitations if any as he shall think fit to prescribe by any Municipal Officer whom the Commissioner generally or specially empowers in writing in this behalf and in each of the said bye laws the word 'Commissioner' shall to the extent to which any Municipal Officer is so empowered be deemed to include such officer

Exempted buildings

3 The following buildings shall be exempted from the operation of these bye-laws —

(*a*) Any building in the possession of His Majesty or of the Municipal Corporation of the City of Bombay or employed or intended to be employed for the use or service of His Majesty or of the said Corporation

(*b*) Any building erected and used or intended to be erected and used exclusively for the purpose of a plant house summer house (not being a dwelling house), poultry house, or aviary, which shall be wholly detached and at a distance of ten feet at the least from any other building

(*c*) Any building erected or intended to be erected by or with the sanction of the Commissioner for use solely as a temporary hospital for the reception and treatment of persons suffering from any dangerous infectious disease

Plans and other documents to be furnished in duplicate

4 Every person who under the provisions of section 338 or section 343 of the Act may be required to furnish to the Commissioner any plan or other document shall furnish duplicate copies of every such plan or other document which he may be so called upon to furnish and one of such duplicate plans shall be on linen and shall be retained by the Engineer the other shall be signed by the Engineer when signifying his approval or otherwise of the plan or document and shall be returned to the person by whom the same was furnished

With respect to the construction of Water-closets and Privies (clause (a), section 461)

Water closet

5 Every person who shall construct a water-closet for use in connection with a dwelling-house shall comply with the following regulations —

(*a*) He shall cause such water-closet to be separated from any room intended to be used for human habitation by a dead wall which shall be lined internally to a height of six feet with

a smooth impervious, non-absorbent coating of neat Portland cement not less than half an inch in thickness or of glass glazed or polished marble

(*b*) He shall make in one at least of the walls of such water-closet a window of not less than 3 square feet superficial area opening upon an external open space

(*c*) He shall cause the entrance to such water closet to be through a lobby or bath-room, having at least one window, or through a gallery which is entirely open to the outer air on one side

(*d*) He shall not construct any portion of such water-closet so as to be within a distance of 3 feet from the boundary of the owner s premises provided that this rule shall not operate to prevent a water-closet being constructed to abut on a street or service passage or open space intended to be permanently reserved as such

Privies

6 Every person who shall construct a privy (including in this expression a privy on the intermediate system) shall comply with the following regulations —

(*a*) He shall provide on each side of such privy except the entrance side an open space at least 3 feet in width within the limits of the owner's premises and open to the sky

(*b*) He shall cause any entrance gallery or communicating bridge to be at least 3 feet in width and open to the external air on both its sides and to be shut off from any portion of any dwelling-house by a closely fitting door

(*c*) He shall make in one at least of the walls of such privy a window of not less than 3 square feet superficial area opening upon an external open space

(*d*) He shall cause the walls of such privy to be lined internally with a smooth impervious non-absorbent coating of neat Portland cement not less than half an inch in thickness or of glass glazed tiles or polished marble to a height of not less than five feet above the floor of such privy

With respect to the structure of Walls Foundations Roofs and Chimneys the Materials Dimensions and strength of Floors and Staircases and of all Scantlings Girders Posts and Columns of Buildings for securing stability and the prevention of fires and for purposes of health (*Clause* (c) *section* 461)

Cellars, vaults and underground rooms

7 Except with the written permission of the Commissioner no person shall construct any cellar vault or underground room either under or as part of a building or otherwise

Level of plinth

8 Save as provided in the last preceding bye law no person shall construct any building or part of a building intended to be used for human habitation with its lowest flat or floor—

(*a*) less than two feet above the level of the centre of the adjacent portion of the nearest street or at the discretion of the Commissioner less than two feet above every portion of the ground within five feet of such building or

(*b*) below such standard level as may from time to time be fixed by the Commissioner

Materials for external and party walls

9 Every person who shall undertake construction work on a building shall save as hereinafter provided construct every external wall and party wall and also every cross wall which in pursuance of the bye-law in that behalf may as a return wall be deemed a means of determining the length of any external wall or party wall of such building of bricks stone hollow concrete blocks as specified in bye law 10 or other hard and incombustible materials (not being littoral concrete) properly bonded and solidly put together—

with mortar well compounded of not less than one part of good fresh burnt lime and not more than two parts of clean sharp sand or other like and suitable material to be approved by the Commissioner, or

with cement or

with cement mixed with sand or other suitable materials to be approved as aforesaid

provided always

that the person undertaking such work may construct the external walls and cross-walls of timber, iron or steel framing subject to compliance with the following regulations and conditions that is to say—

the dimensions of posts columns beams and joists shall be in accordance with the requirements of the respective bye-laws in that behalf and the spaces between the posts or other vertical supports shall be filled in completely with iron plates properly lapped and fixed or brick stone or other hard and incombustible materials properly bonded and solidly put together—

(*i*) with mortar compounded as aforesaid or

(*ii*) with cement or

(*iii*) with cement mixed with sand or other suitable material to be approved as aforesaid.

Hollow concrete blocks

10 Every person who shall undertake construction work on a building and shall construct any wall included in such work of hollow concrete blocks shall comply with the following regulation in respect to such blocks and the use hereof —

(*a*) The sides of each block shall be not less than 2½ inches in thickness in any part

(*b*) No block shall be more than 36 inches in length 18 inches in breadth and 18 inches in depth

(*c*) There shall be embedded in each block steel wire of such amount and so arranged as the Commissioner shall approve

(*d*) During the process of manufacture each block shall be subjected to a pressure of not less than 1 000 lbs per square inch

(*e*) No block shall be used in any position where the maximum pressure on it will exceed six tons per square foot

(*f*) The course immediately below each floor and such other courses as the Commissioner may direct shall be built of solid blocks

(*g*) The walls shall in all cases be of the thickness prescribed for brick walls

(*h*) The Commissioner may test (at the cost of the person undertaking the work) five per cent in number of the blocks to be used in the work and if any block so tested fails to sustain a weight of twenty five tons per square foot the Commissioner may by written order require the removal of all blocks (if any) already put into the work and may forbid the use of hollow blocks in the said building notwithstanding any previous authority or approval of the building proposal

Return walls to be bonded together

11 Every person who shall undertake construction work on a masonry walled building shall cause every wall included in such work which may be built at an angle with another wall to be properly bonded therewith

Footings to walls and posts

12 Every person who shall undertake construction work on a building shall construct every wall and every post on the ground floor carrying any portion of the weight of such building so as to rest upon proper footings to the satisfaction of the Commissioner

He shall cause the projection at the widest part of the footings of every wall on each side of such wall to be at least equal to one-half of the thickness of such wall at its base unless an adjoining wall interferes in which case the projection may be omitted where that wall adjoins

He shall cause the spread of the footings on each side of every post carrying any portion of the weight of such building to be such that the pressure at the bottom of the footing shall not exceed the weight specified in the subjoined table in respect of the different classes of soil and the depth of the footings of each such post shall be not less than the distance from the centre line of the post to the outside line of the footings except in the case of rock

He shall also cause the diminution of the footings of every wall and every such post to be in regular off-sets or in one off-set at the top of the footings and he shall cause the height from the bottom of the footings to the base of the wall to be at least equal to two thirds of the thickness of the wall at its base

TABLE OF FOUNDATIONS

Loose filling	1 ton per sq foot
Blue clay or thick soil	1½ tons " "
Wet sand or yellow earth	2 " " "
Dry sand	3 " " "
Red earth	3 " " "
Muram	4 " " "
Hardened sand	5 "

Foundations of walls

13 Every person who shall undertake construction work on a building shall cause the footings of every wall and every post or posts of the ground floor carrying any portion of the weight of the building to rest on the solid ground, or upon a sufficient thickness of concrete or upon some solid and sufficient substructure as a foundation

Provided that where solid rock is met with at or near the surface at the site of such building that is within three feet of the level of the base of the wall the footings may be omitted, if the surface of the rock be properly cleaned and stepped or jagged to receive the first course of masonry

Paving, &c., of floors and damp-proof courses for walls

14 Every person who shall undertake construction work on a building intended to be used for human habitation shall (except as hereinafter provided) cause—

(*a*) every water-closet privy, urinal, washing or bathing place and water-room included in such work and wherever situate, and every portion of every ground floor and also

(*b*) in the case of a chawl—

(*i*) every part of each floor included in such work, and

(*ii*) every communicating passage on an upper floor included in such work, and not being an external verandah,

to be laid or paved with stone, slate or non-absorbent tiles laid in cement or with asphalt cement, koba or other durable material impervious to moisture

He shall also in the case of a masonry building provide in each brick wall included in such work which is below the level of the lowest floor a damp-proof course, which shall consist of sheet lead asphalt slates laid in cement vitrified bricks or any other durable materials impervious to moisture

Provided however that it shall be in the discretion of the Commissioner, by order in writing to dispense with either or all the details provided for in this bye-law in any case in which, in his opinion, this can properly be done

Provided also in the case of buildings other than chawls timber flooring may be allowed to be super-imposed on the concrete or other impervious material

Mode of measurement.

15 For the purposes of the bye-laws with respect to the structure of walls of buildings the measurement of height of storeys and of height and length of walls shall be determined by the following rules —

Heights of storeys

(*i*) The heights of storeys shall be measured as follows —

(*a*) The height of a topmost storey shall be measured from the level of the upper surface of the floor up to the level of the underside of the tie of the roof or other covering or if there is no tie then up to the level of half the vertical height of the rafters or other support of the room

(*b*) The height of every storey other than a topmost storey shall be measured from the level of the upper surface of the floor of the storey up to the level of the upper surface of the floor of the storey next above it

Height of walls

(*ii*) The height of a wall shall be measured from top of the plinth to the highest part of the wall or in the case of gable to half the height of the gable

(iii) Walls be deemed to be divided into distinct lengths by return-walls The length of a wall shall be measured from the centre of return-wall to the centre of another provided that the return-walls are external-walls party walls or cross-walls of the thickness prescribed by the bye-laws and are bounded or if the building be a frame building, framed into the walls so deemed to be divided

Length of walls

A wall shall not for the purpose of this rule be deemed a cross wall unless it is carried up to the top of the topmost storey and unless in each storey the aggregate extent of the vertical faces or elevations of all the recesses and that of all the openings therein taken together shall not exceed one half of the whole extent of the vertical face or elevation of the wall in such storey

Walls when deemed cross-walls.

16 Every person who shall undertake construction work on a domestic masonry-walled buildings shall construct every external wall every wall abutting on an interior open space and every party-wall included in such work in accordance with the following rules and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed and the several rules shall apply to masonry walls built of bricks or hollow concrete blocks —

Thickness for walls of domestic masonry walled buildings

Height up to 10 feet.

(a) Where the wall does not exceed 10 feet in height (whatever is its length) it shall be 9 inches thick for its whole height

Height up to 15 feet

(b) Where the wall exceeds 10 feet and does not exceed 15 feet in height (whatever is its length) it shall be fourteen inches thick for a height of eight feet and nine inches thick for the remaining height

Height up to 25 feet.

(c) Where the wall does not exceed twenty five feet in height its thickness shall be as follows —

If the wall does not exceed thirty feet in length it shall be fourteen inches thick for its whole height

If the wall exceeds thirty feet in length it shall be eighteen and a half inches thick below the topmost storey if it comprise more than one storey or if it comprise a ground floor only, then eighteen and-a half inches thick for a height of fifteen feet above its base and in either case fourteen inches thick for the rest of its height

Height up to 35 feet

(d) Where the wall exceeds twenty five feet but does not exceed thirty five feet in height its thickness shall be as follows —

If the wall does not exceed thirty feet in length it shall be eighteen and a half inches thick from the base for the height of one storey and fourteen inches thick for the rest of its height

If the wall exceeds thirty feet in length it shall be eighteen and-a half inches thick from the base for the height of two storeys and fourteen inches thick for the rest of its height

Height up to 45 feet

(e) Where the wall exceeds thirty five feet but does not exceed forty five feet in height its thickness shall be as follows —

If the wall does not exceed thirty feet in length it shall be eighteen and a half inches thick from the base for the height of two storeys and fourteen inches thick for the rest of its height

If the wall exceeds thirty feet in length it shall be twenty three and a half inches thick from the base for the height of one storey then eighteen and a half inches thick for the height of the next two storeys and fourteen inches thick for the rest of its height

Height up to 55 feet

(f) Where the wall exceeds forty five feet but does not exceed fifty five feet in height its thickness shall be as follows —

If the wall does not exceed thirty feet in length it shall be twenty three and-a half inche thick from the base for the height of one storey then eighteen and a half inches thick for the height of the next two storeys and then fourteen inches thick for the rest of its height

If the wall exceeds thirty feet in length it shall be twenty three and a half inches thick from the base for the height of two storeys then eighteen and a half inches thick for the height of the next two storeys and fourteen inches thick for the rest of its height

Height up to 65 feet

(g) Where the wall exceeds fifty five feet but does not exceed sixty five feet in height its thickness shall be as follow

If the wall does not exceed thirty feet in length, it shall be twenty-three and-a-half inches thick from the base for the height of two storeys then eighteen and-a-half inches thick for the height of the next two storeys and fourteen inches thick for the rest of its height

If the wall exceeds thirty feet in length it shall be twenty-eight and-a half inches thick from the base for the height of one storey then twenty-three and-a-half inches thick for the height of the next two storeys, then eighteen and-a-half inches thick for the height of the next two storeys, and fourteen inches thick for the rest of its height

Height up to 70 feet

(*h*) Where the wall exceeds sixty-five feet but does not exceed seventy feet in height, its thickness shall be as follows —

If the wall does not exceed thirty feet in length, it shall be twenty-eight and-a-half inches thick from the base for the height of one storey, then twenty-three and-a-half inches thick for the height of the next storey then eighteen and-a half inches for the next two storeys, and fourteen inches thick for the rest of its height

If the wall exceeds thirty feet in length, it shall be twenty-eight and-a-half inches thick from the base for the height of two storeys, then twenty three and-a-half inches thick for the height of the next storey then eighteen and-a-half inches thick for the height of the next two storeys and then fourteen inches thick for the rest of its height

Height over 70 feet

(*i*) Where the wall exceeds seventy feet in height it shall in each case, be of such thickness as shall be specially prescribed by the Commissioner in that behalf

Provided that notwithstanding anything contained in the foregoing rules (*a*) to (*i*) inclusive—

Every external wall every wall abutting on an interior open space and every party wall of any storey which measured from the level of the floor of that storey to the level of the floor of the storey next above it, if any exceeds ten feet in height shall not be less than fourteen inches in thickness and

Provided further that the wall on the top storey may be nine inches in thickness if the wall on that storey is less than thirty feet in length

All the dimensions of masonry in these bye laws are exclusive of external and internal plaster

17 Every person who shall undertake construction work on a masonry-walled public building or on a masonry-walled building of the warehouse class shall construct every external wall and every party wall included in such work in accordance with the following rules and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed and the several rules shall apply only to walls

Thickness for walls of masonry walled public buildings or masonry walled buildings of the warehouse class

built of brick masonry —

Height up to 25 feet

(*a*) Where the wall does not exceed twenty five feet in height (whatever is its length), it shall be fourteen inches thick at its base

Height up to 30 feet

(*b*) Where the wall exceeds twenty-five feet but does not exceed thirty feet in height, it shall be at its base of the thickness following

If the wall does not exceed forty five feet in length it shall be fourteen inches thick at its base

If the wall exceeds forty five feet in length it shall be eighteen and a-half inches thick at its base

Height up to 40 feet

(*c*) Where the wall exceeds thirty feet but does not exceed forty feet in height it shall be at its base of the thickness following

If the wall does not exceed thirty five feet in length it shall be fourteen inches thick at its base

If the wall exceeds thirty five feet but does not exceed forty-five feet in length, it shall be eighteen and a half inches thick at its base

If the wall exceeds forty five feet in length, it shall be twenty-three and-a half inches thick at its base

Height up to 50 feet.

(*d*) Where the wall exceeds forty feet but does not exceed fifty feet in height it shall be at its base of the thickness following

If the wall does not exceed thirty feet in length it shall be eighteen and-a half inches thick at its base

If the wall exceeds thirty feet but does not exceed forty five feet in length, it shall be twenty three and-a half inches thick at its base

If the wall exceeds forty-five feet in length, it shall be twenty-eight and-a-half inches thick at its base

Height up to 60 feet

(*e*) Where the wall exceeds fifty feet but does not exceed sixty feet in height it shall be at its base of the thickness following

If the wall does not exceed forty five feet in length, it shall be twenty-three and-a-half inches thick at its base

If the wall exceeds forty-five feet in length, it shall be twenty-eight and-a-half inches thick at its base

Height up to 70 feet.

(*f*) Where the wall exceeds sixty feet but does not exceed seventy feet in height, it shall be at its base of the thickness following

If the wall does not exceed forty-five feet in length, it shall be twenty three and-a-half inches thick at its base

If the wall exceeds forty five feet in length, it shall be twenty-eight and-a half inches thick at its base

(*g*) In any wall over twenty five feet in height the uppermost fifteen feet shall not be less than fourteen inches in thickness, and the remainder of the wall below the uppermost fifteen feet shall not be less in thickness than the space contained between two straight lines drawn from each outer side of the wall at its base to each outer side of the wall fifteen feet below the top

Nevertheless in walls not exceeding thirty feet in height the walls of the topmost storey may be nine inches thick provided the height of that storey does not exceed twelve feet

Provided that notwithstanding anything contained in the foregoing rules (*a*) to (*g*) inclusive—

(*i*) Every external and party wall of any storey which measured from the level of the floor of that storey to the level of the floor of the storey next above it if any exceeds twelve feet in height shall be not less than fourteen inches in thickness and

(*ii*) If any storey exceeds in height fourteen times the thickness hereinbefore prescribed for its wall the thickness of each external and party-wall throughout that storey shall be increased to one fourteenth part of the height of the storey and the thickness of each external wall and of each party wall before that storey shall be proportionately increased

Thickness for cross walls

18 Every person who shall undertake construction work on a masonry walled building shall construct, in accordance with the following rules every cross wall (included in such work) which, in pursuance of the bye-laws in that behalf may as a return wall be deemed a means of determining the length of any external wall or party-wall of such building and in every case the thickness prescribed shall be the minimum thickness of which any such cross-wall may be constructed and the several rules shall apply only to walls built of brick masonry —

The thickness of every such cross wall shall be at least two-thirds of the thickness prescribed by the bye law in that behalf for an external wall or party wall of the same height and length and belonging to the same class of buildings as that to which such cross-wall belongs but shall in no case be less than nine inches

But if such cross-wall supports a superincumbent external wall the whole of such cross-wall shall be of the thickness prescribed by the bye-law in that behalf for an external wall or a party-wall of the same height and length and belonging to the same class of building as that to which such cross-wall belongs

Opening in external walls of masonry walled building

19 Every person who shall undertake construction work on a masonry walled building and shall leave in any storey or storeys of such building an extent of opening in any external wall included in such work which shall be greater than one half of the whole extent of the vertical face or elevation of the wall or walls of the storey or storeys in which the opening is left shall construct the wall or walls of every such storey of such thickness that the maximum pressure per square foot shall not

exceed the respective limits of weight per square foot of horizontal sectional area next hereinafter provided, namely —

If the wall is built of—

	Limit of Superincumbent weight per square foot of horizontal sectional area. tons
Rubble masonry or other material not being brick ashlar or hollow concrete blocks	3½
Ordinary bricks	3½
Table bricks	4
Ashlar masonry with Porebunder stone	6
Ashlar masonry with stone other than Porebunder stone	20

Wall built of materials other than brick or ashlar

20 Every person who shall undertake construction work on a building and shall construct any external wall party wall or cross wall included in such work of rubble masonry of approved quality or other material not being brick or ashlar or hollow concrete blocks shall comply with the following rule with respect to the thickness of such wall —

The thickness of such wall shall be one-third greater in the case of rubble masonry and one-fifth greater in the case of coursed rubble masonry of approved quality than that prescribed by the bye law in that behalf for a wall built of brick or ashlar masonry but in other respects of the same description, height, and length, and belonging to the same class of building

20A In the case of ashlar and coursed masonry the stones shall overlap or break joint from one to one and one half times the depth of the course, both along the face of the wall and also from the front to the back and in every case the ends of headers shall not form less than one-fourth of the whole area of the face of the masonry

In the case of the common rubble masonry the wall shall be bonded both laterally and transversely one fourth of the mass shall consist of headers, and the wall shall be brought up uniformly and levelled at regular intervals not exceeding two feet in height

Limit of superincumbent weight on base of wall

21 Every person who shall undertake construction work on a masonry-walled building shall construct every external wall party wall and cross wall included in such work of such thickness that the superincumbent weight on the base of such wall shall not exceed the respective limits of weight per square foot of horizontal sectional area next hereinafter provided, namely —

If the wall is built of—

	Limit of superincumbent weight per square foot of horizontal sectional area tons.
Rubble masonry or other material not being brick ashlar or hollow concrete blocks	3½
Ordinary bricks	3½
Table bricks	4
Ashlar masonry with Porebunder stone	6
Ashlar masonry with stone other than Porebunder stone	20

Dimension for posts in buildings

22 Every person who shall undertake construction work on a building shall employ and erect therein the posts which bear any portion of the weight of the structure in accordance with the following regulations and in every case the dimensions prescribed for such post shall be the minimum dimensions for the post which may be employed and the several rules shall apply only to posts erected and fixed at such distances from the nearest weight bearing posts or other points of support of superstructure as to give an average of not more than 10 feet calculated as follows —

In the case of corner posts in the exterior walls on the distances from the nearest weight bearing posts or other points aforesaid in any two directions.

In the case of posts in exterior walls other than corner posts on the distance from the nearest weight bearing posts or other points aforesaid in any three directions

In the case of interior posts (*i e* posts fixed within the line of but clear of the external walls) on the distance from the nearest weight bearing posts or other points aforesaid in any four directions.

In the case of timber framed construction there shall be provided in addition to any other posts required by these bye laws a post of the same size as the corner post at a distance of 3 feet from the corner post in each direction and such post shall be erected either vertically or as struts and tenoned into the top and bottom beam respectively at each floor

the measurement in each case being taken from the centre of the post to the centre of the weight-bearing post or other point aforesaid nearest thereto

The dimensions of post given in the following tables shall be applicable only to those made of seasoned Teak, Benteak, Aien, Kyle Kher and Sal or such other wood as the Commissioner may decide to be equally suitable for the purpose If the posts be made of other woods the areas shall be 25 per cent in excess of those obtainable from the dimensions given in the tables —

(*a*) Where the building consists of not more than one storey, the dimensions of the posts shall be as follows

Height of posts	Dimensions	
	If square	If round
Not exceeding 11′	5″ × 5″	or 6″ diameter

(*b*) Where the building consists of not more than two storeys, the dimensions of the posts shall be as follows

——	Height of Posts	Dimensions	
		If square	If round
Lowest or 1st storey	Not exceeding 11	6″ × 6″	or 7″ dia
2nd storey	Do 11	5″ × 5″	or 6″

(*c*) Where the building consists of not more than three storeys the dimensions of the posts shall be as follows

——	Height of Posts	Dimensions.	
		If square	If round
Lowest or 1st storey	Not exceeding 11	7″ × 7″	or 8½″ dia
2nd storey	Do 11	6″ × 6″	or 7″
3rd ,,	Do 11	5″ × 5″	or 6″

(*d*) Where the building consists of not more than four storeys the dimensions of the posts shall be as follows —

——	Height of Posts	Dimensions	
		If square	If round
Lowest or 1st storey	Not exceeding 11	8″ × 8″	or 9½″ dia
2nd storey	Do 11	7″ × 7″	or 8¼″
3rd ,,	Do 11	6″ × 6″	or 7″
4th ,,	Do 11	5″ × 5″	or 6″

(e) Where the building consists of not more than five storeys, the dimensions of the posts shall be as follows

	Height of Posts	Dimensions	
		If square	If round
Lowest or 1st storey	Not exceeding 11′	9″ × 9″	or 10$\frac{3}{4}$″ dia
2nd storey	Do 11′	8″ × 8″	or 9$\frac{1}{2}$″ ,,
3rd ,,	Do 11′	7″ × 7″	or 8$\frac{1}{4}$″ ,,
4th ,,	Do 11′	6″ × 6″	or 7″ ,,
5th ,,	Do 11′	5″ × 5″	or 6″ ,,

(f) Where the building consists of not more than six storeys, the dimensions of the posts shall be as follows —

	Height of Posts	Dimensions	
		If square	If round
Lowest or 1st storey	Not exceeding 11	10″ × 10″	or 12″ dia
2nd storey	Do 11	9″ × 9″	or 10$\frac{3}{4}$″ ,
3rd ,,	Do 11′	8″ × 8″	or 9$\frac{1}{2}$″ ,,
4th ,,	Do 11′	7″ × 7″	or 8$\frac{1}{4}$″ ,
5th ,	Do 11′	6″ × 6″	or 7″
6th ,	Do 11′	5″ × 5″	or 6″

(g) Where the height of posts exceeds eleven feet, the dimensions shall be increased by 3/16 of an inch for each additional foot of height

(h) Where the building consists of more than six storeys or contains posts of a greater height than fifteen feet the dimensions of the posts shall in each case be such as shall be specially prescribed by the Commissioner in that behalf

Whenever it is proposed to use iron or steel in the construction the strength of each girder or column or other piece shall be such as will support the weight of the portion of the building which comes upon it and of the possible load upon the floors with a factor of safety not less than 4

Dimensions for posts in frame buildings where distant more than 10 feet

23 Every person who shall undertake construction work on a building and shall cause any of the posts included in such work to be distant from the nearest weight bearing post or other points of support of superstructure more or less in the average than 10 feet calculated and measured as in the last preceding bye-law provided shall comply with the following rule with respect to the dimensions of such posts —

The dimensions of the posts so distant more or less than ten feet calculated and measured as aforesaid shall be greater or less in square or round sectional area than the dimensions prescribed by the rule in that behalf for posts erected and fixed at distances averaging ten feet in proportion as the average distance between such posts and the nearest weight bearing posts or other points aforesaid may be more or less than ten feet calculated and measured as aforesaid Provided however that in no case shall the smallest dimension be less than one thirtieth of the height of the posts or less than five inches.

Width for footings and thickness and height for walls of domestic frame building

24 Every person who shall undertake construction work on domestic frame building shall construct every external wall and every party wall included in such work in accordance with the following rules so far as the same may respectively be applicable and in every case the width for footing and thickness prescribed shall be the minimum width and thickness respectively of which any such wall and footings may be constructed and the several rules shall apply only to walls built of brick masonry —

Up to three storeys

(*a*) Where the wall does not comprise more than three storeys it shall rest on footings not less than eighteen and-a-half inches wide it shall be nine inches thick for its whole height and (unless it to be a party-wall) it shall not exceed the following heights

If the wall does not comprise more than one storey its maximum height shall be twelve feet

If the wall comprises two storeys and no more its maximum height shall be twenty-three feet

If the wall comprises three storeys and no more its maximum height shall be thirty-four feet

Up to four storeys

(*b*) Where the wall comprises four storeys and no more it shall rest on footings not less than twenty-four inches wide it shall be fourteen inches thick for the height of one storey and nine inches thick for the rest of its height, and (unless it be a party-wall) it shall not exceed forty five feet in height

Up to five storeys

(*c*) Where the wall comprises five storeys and no more, it shall rest on footings not less than twenty-eight and-a-half inches wide it shall be fourteen inches thick for the height of two storeys and nine inches thick for the rest of its height, and (unless it be a party wall) it shall not exceed fifty-six feet in height

Up to six storeys

(*d*) Where the wall comprises six storeys and no more it shall rest on footings not less than twenty-eight and-a-half inches wide it shall be fourteen inches thick for the height of three storeys and nine inches thick for the rest of its height and (unless it be a party wall) it shall not exceed seventy feet in height

Up to seven storeys

(*e*) Where the wall comprises seven storeys and no more it shall rest on footings not less than thirty-seven and-a half inches wide it shall be eighteen and-a-half inches thick for the height of two storeys then fourteen inches thick for the height of next three storeys, and then nine inches thick for the rest of its height and it shall not exceed eighty five feet in height

Over seven storeys

(*f*) Where the wall comprises more than seven storeys it shall rest on footings of such width and shall be such thickness and height as shall in each case be specially prescribed by the Commissioner in that behalf

(*g*) If the wall comprising a certain number of storeys exceeds the height prescribed for those storeys then the thickness of such wall and the width of its footings shall be regulated by those of the wall prescribed for an additional storey

Width for footings and thickness for walls of public frame buildings of the warehouse class

25 Every person who shall undertake construction work on a public frame building or on a frame-building of the warehouse class shall construct every external wall and every party wall included in such work in accordance with the following rules and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed and the several rules shall apply only to walls built of brick masonry —

Height up to 22 feet

(*a*) Where the wall does not exceed twenty two feet in height (whatever is its length) it shall rest on footings not less than twenty four inches wide and it shall be fourteen inches thick at its base and for a height of thirteen feet above its base and nine inches thick for the rest of its height

Height up to 44 feet

(*b*) Where the wall exceeds twenty two feet but does not exceed forty four feet in height it shall rest on footings not less than thirty three and a half inches wide and it shall be eighteen and-a half inches thick at its base and for a height of fifteen feet above its base and fourteen inches thick for the rest of its height

(c) Where the wall exceeds forty-four feet but does not exceed seventy-eight feet in height it shall rest on footings not less than thirty eight and-a half inches wide and it shall be twenty four inches thick at the base and for a height of twenty feet above its base then eighteen and a-half inches thick for a further height of thirty-six feet and fourteen inches thick for the rest of its height

Height up to 78 feet

(d) When the wall exceeds seventy-eight feet but does not exceed one hundred feet in height it shall rest on footings not less than forty-eight inches wide and it shall be twenty-eight and-a half inches thick at its base and for height of twenty four feet above its base, then twenty four inches thick for a further height of forty feet and then eighteen inches thick for the rest of its height

Height up to 100 feet

Provision as to approved bricks and their use

26 In all cases in these bye laws in which thickness are prescribed for brick walls, the following provisions shall have effect —

Provided that if approved bricks of the size of 8½ inches long by 4¼ inches wide are used—

		inches
1	Brick may be reckoned to be equal to	9
1½	Bricks , ,	14
2	,	18½
2½	,	23½
3		28½
3½		33½

External walls of brick nogging

27 The Commissioner may permit the external walls to be of brick nogging provided it be of a design approved of by him

Chimneys

28 Every person who shall undertake construction work on a building shall except in such case as is hereinafter provided cause every chimney included in such work to be built on solid foundations and with footings similar to the footings of the wall against which such chimney is built and to be properly bounded into such wall

Provided nevertheless that such person may cause any such chimney to be built on sufficient corbels of brick stone or other hard and incombustible materials if the work so corbelled out does not project from the wall more than the thickness of the wall measured immediately below the corbel

Chimney flues to be pargetted inside

29 Every person who shall undertake construction work on a building shall cause the inside of every flue included in such work to be properly rendered or pargetted as such flue is carried up unless the whole flue shall be lined with fire brick or fire proof piping of fire-clay at least one inch thick and unless the spandrel angles shall be filled in solid with brickwork or other incombustible material

Outside of chimney in certain parts to be rendered

Such person shall also cause the back or outside of such flue which shall not be constructed so as to form part of the outer face of an external wall to be properly rendered in every case where the brickwork of which such back or outside may be constructed is less than nine inches thick

Brickwork about certain flue to be of fire bricks

30 Every person who shall undertake construction work on a building shall cause every flue included in such work which may be intended for use in connection with any furnace copper steam boiler or close fire constructed for any purpose of trade business or manufacture or which may be intended for use in connection with any cooking range or cooking apparatus of such building when occupied as a hotel tavern or eating house to be surrounded with fire brick at least four and-a half inches thick for a distance of ten feet at the least in height from the floor on which such furnace of copper steam boiler, close fire cooking range or cooking apparatus may be constructed or placed

Specification for brick chimneys for factories etc

31 Every person who shall erect a brick chimney in connection with any factory or place in which steam, water or other mechanical power is to be employed shall cause the same to be built of good sound bricks each capable of sustaining a pressure of not less than 600 lbs to the square inch and is capable of absorbing as much as twelve per cent of its own weight and shall also construct such chimney in accordance with the following rules and in every case the thickness of brickwork prescribed shall be the minimum thickness of brickwork of which any such chimney may be constructed —

(a) He shall cause such chimney to be built of a diameter at the base of not less than one twelfth of the height and for a height of at least twenty feet from its base such chimney shall be lined in the following manner that is to say the shaft shall be provided with an independent lining of fire bricks separated from the masonry enclosing the shaft by a cavity at least one inch in width, and he shall cause such cavity to be covered at the top with corbelled brickwork

(*b*) He shall cause the batter of such chimney to be not less than one-third of an inch to the foot

(*c*) Where the inside diameter of the chimney at the top does not exceed four feet six inches the thickness of the brickwork shall be as follows —

From the top of the chimney to the level of twenty five feet below the top it shall be nine inches in thickness

From the level of twenty five feet below the top of the chimney to the level of fifty feet from the top it shall be fourteen inches and-a-half in thickness, and for each further space of twenty five feet below the level of fifty feet from the top, the thickness shall be in like manner further increased to the extent of four and-a half inches

(*d*) Where the inside diameter of the chimney at the top exceeds four feet six inches the thickness of the brickwork shall be as follows —

From the top of the chimney to the level of twenty five feet below the top it shall be fourteen inches in thickness

From the level of twenty-five feet below the top of the chimney to the level of fifty feet below the top, it shall be eighteen inches in thickness and for each further space of twenty-five feet below the level of fifty feet from the top, the thickness shall be in like manner further increased to the extent of four and-a half inches

Specification for cut-stone masonry, chimneys for factories, etc

32 Every person who shall erect a chimney of cut-stone masonry in connection with any factory or place in which steam, water or other mechanical power is to be employed shall construct the same in accordance with the following rules and in every case the thickness of masonry prescribed shall be the minimum thickness of masonry of which any such chimney may be constructed —

(*a*) He shall cause such chimney to be built of a diameter at the base of not less than one twelfth of the height and for a height of at least twenty feet from its base such chimney shall be lined in the following manner that is to say the shaft shall be provided with an independent lining of fire bricks separated from the masonry enclosing the shaft by a cavity at least one inch in width and he shall cause such cavity to be covered at the top with corbelled brickwork

(*b*) He shall cause the batter of such chimney to be not less than one-third of an inch to the foot

(*c*) Where the inside diameter of the chimney at the top does not exceed four feet six inches the thickness of the masonry shall be as follows —

From the top of the chimney to the level of twenty five feet below the top it shall be twelve inches thick

From the level of twenty five feet below the top of the chimney to the level of fifty feet below the top, it shall be eighteen inches thick

And from each further space of twenty five feet below the level of fifty feet from the top the thickness shall be in like manner further increased to the extent of six inches

(*d*) When the inside diameter of the chimney at the top exceeds four feet six inches the thickness of the masonry shall be as follows —

From the top of the chimney to the level of twenty five feet below the top it shall be eighteen inches thick

From the level of twenty five feet below the top of the chimney to the level of fifty feet below the top, it shall be two feet thick

And for each further space of twenty five feet below the level of fifty feet from the top, the thickness shall be in like manner further increased to the extent of six inches

Dimensions of beams joists trusses, etc

33 Every person who shall undertake construction work on a building shall employ and use therein beams and joists made of seasoned Teak Benteak Ainen Kyle Kher or Sal or of such other wood as may be equally suitable for the purpose or of iron or steel and in accordance with the following regulations and in every case the dimensions and bearings prescribed for beams and joists respectively shall be the minimum dimensions and bearings or in the case of spans and loads exceeding those given in the Schedule in accordance with the formula given in K —

(*a*) The dimensions (in inches) of beams of seasoned Teak, Benteak, Aien Kyle, Kher or Sal or such other wood as aforesaid in a building where they will not have to bear a greater distributed dead load than 1½ cwt per square foot of floor area shall be as given in the following table —

Span in feet	Distributed dead load of and on the floor not exceeding 1½ cwt per square foot											
	Distance from centre to centre of girder in feet											
	Up to 5 feet		More than 5 feet and up to 6 feet		More than 6 feet and up to 7 feet		More than 7 feet and up to 8 feet		More than 8 feet and up to 9 feet		More than 9 feet and up to 10 feet	
	B	D	B	D	B	D	B	D	B	D	B	D
Up to 10 feet	5	9	6	9	6	9½	6	10	7	10	7	10
Above 10 feet and up to 12 feet	6	9	7	10	7	10½	7½	11	7	12	8	12
Above 12 feet and up to 14 feet	7	10½	7	11	7½	12	8	12	8	13	8	14
Above 14 feet and up to 16 feet	8	11	8	12	8	13	8	14	9	14	9	15
Above 16 feet and up to 18 feet	8½	12	9	13	9	14	9	15	9	16	10	16
Above 18 feet and up to 20 feet	9	13	9	14	10	15	10	16	10	17	10	17

(*b*) The dimensions of joists of seasoned Teak Benteak Aien Kyle Kher or Sal or such other wood aforesaid in a building placed twelve inches from centre to centre where they will not have to bear a greater distributed dead load than 1½ cwt per square foot of floor area shall be as given in the following table —

Length of span in feet	The distributed dead load of and on the floor not to exceed 1½ cwt per square foot					
	Scantlings in inches					
	B	D	B	D	B	D
Up to 6 feet	2	3¾	2½	3½	3	3
Above 6 feet and up to 8 feet	2	5	2½	4½	3	4
Above 8 feet and up to 10 feet	2	6¼	2½	5½	3	5
Above 10 feet and up to 12 feet	2	7½	2½	6¾	3	6¼
Above 12 feet and up to 14 feet	2	8¾	2½	8	3	7¼
Above 14 feet and up to 16 feet			2½	9	3	8½
Above 16 feet and up to 18 feet					3	9½
Above 18 feet and up to 20 feet					3	10½

(*c*) The beams shall have at each end in the direction of their length a minimum bearing of eight inches on a sufficient pier of brick or stone or on a storey post of timber or iron fixed on solid foundation and such bearing shall in each case be to the full extent of the width of the beam

(*d*) The joists if of wood shall have at each end a bearing of not less than half the breadth of the girder template or wall plate on which they rest but in no case shall such bearing be less than 4 inches They shall rest at the wall end on a template or wall plate measuring at lease 4 inches by 4 inches, such joists may be scarfed over the beam on which they rest

No joist of whatever material resting on a wall direct shall have a bearing on that wall of less than 4 inches in length

(*e*) If the beams or joists be made of materials other than Moulmein Teak Indian Teak Benteak Aien Kyle Kher and Sal or such other wood as aforesaid the dimensions shall be such that the product of the breadth and the cube of the depth shall be twenty five per cent in excess of the product of the breadth and the cube of the depth given in the foregoing tables

(*f*) Every beam or bressummer shall at each of its ends be borne by a template of stone iron or other hard and incombustible material and such template unless of iron shall be at least 6" thick and in all cases shall be three times the area of the portion of the beam or bressummer resting on it

(*g*) The trusses and other component parts of the roofs in such building shall be of seasoned Teak Bentcak Aien Kher or Sal or such other wood as aforesaid and of the dimensions given in the following tables —

Scantlings of Timber trusses 10 feet apart for doubled tiled roofs

Span in feet	Tie Beams		Principals		King Posts		Struts		Straining Beams	
	D	B	D	B	D	B	D	B	D	B
	In	In	In	In	In	In	In	In	In°	In
XII	5	3	5	3	3	3	2½	3		
XIV	5	3	5½	3	3	3	2½	3		
XVI	5	3	6	3	3½	3	2½	3		
XVIII	5½	3½	6	3½	3	3½	2½	3½		
XX	6	3½	7	3½	3½	3½	3	3½		
XXII	6½	3½	7½	3½	4	3½	3	3½		
XXIV	6½	4	7½	4	4	4	3	4		
XXVI	7	4	8	4	4	4	3½	4		
XXVIII	7	4½	8	4½	4	4½	3½	4½		
XXX	7½	4½	8½	4½	4	4½	3½	4½		
								Queen	Post	Truss
XXVI	7	4	8	4	2½	4	2½	4	5	4
XXVIII	7	4½	8	4½	2½	4½	2½	4½	5	4½
XXX	7½	4½	8½	4½	2½	4½	2½	4	5½	4½
XXXII	7½	4½	9	4½	2½	4½	2½	4	6	4½
XXXIV	8	4½	9½	4½	2½	4½	2½	4	6	4½
XXXVI	8	5	9½	5	2½	5	3	5	6	5
XXXVIII	8	5	9½	5	2½	5	3	5	6½	5
XL	8½	5	10	5	2½	5	3	5	6½	5

Note —The king or queen post and the tie-b[illegible] should be securely connected together by means of iron straps or bolts of sufficient strength.

The dimensions given in the above tables for king posts and queen-posts are the minimum at any point in their length

	PURLINS													
	Scantlings in Inches													
	3ft apart central distance		4ft apart central distance		5ft apart central distance		6ft apart central distance		7ft apart central distance		8ft. apart central distance		9ft apart central distance	
	B	D	B	D	B	D	B	D	B	D	B	D	B	D
Trusses 6ft apart	2	4	2	5	2½	5	2½	5	3	5	2½	6	3	6
Trusses 7ft apart	2	4½	2½	5	3	5	2½	6	3	6	3	6½	3	7
Trusses 8ft apart	2½	5	3	5	3	6	3	6½	3	7	3½	7	4	7
Trusses 9ft apart	3	5	3	6	3	6½	3	7	3½	7	4	7	4	7½
Trusses 10ft apart	3	5½	3½	6	4	6	4	7	4	7½	4	8	4½	8
Trusses 11ft apart	3	6	3½	6½	4	7	4	7½	4	8	4½	8	5	8
Trusses 12ft apart	3½	6	4	7	4	7½	4	8	5	8	5	8½	5	9
Trusses 13ft apart	3½	7	4	7	4	8	5	8	5	8½	5	9	6	9
Trusses 14ft apart	4	7	4	8	5	8	5	8½	6	8½	6	9	6	9½
Trusses 15ft apart	4	7½	4½	8	5½	8	5	9	6	9	6	10	6½	10
Trusses 16ft apart	4	8	5	8	5	9	6	9	6	10	6½	10	7	10

RAFTERS

Length of bearing in feet	Scantlings in Inches					
	12 inches central distance		15 inches central distance		18 inches central distance	
	B	D	B	D	B	D
Up to 6	2	3	2½	3	2½	3
Above 6 and up to 7	2	3	2½	3	2½	3
7 „ 8	2	3½	2½	3½	2½	3½
8 „ 9	2	4	2½	4	2½	4
9 „ 10	2	4½	2½	4½	2½	4½
10 „ 11	2	5	2½	5	2½	5
11 „ 12	2	5	2½	5	2½	5½

Note —The purlins and rafters as given in the above tables are designed to carry a load of 56 lbs per square foot inclusive of a wind pressure of 30 lbs per square foot normal to the slope of the roof

(*i*) If the load per square foot on the roof or if the distance apart from centre to centre of the trusses be increased or reduced the scantling specified shall be increased or may be reduced to such extent as the Commissioner may in each case approve

In case of disapproval the Commissioner shall specify for the guidance of the applicant such sizes as he (the Commissioner) may think necessary

(*j*) The tie beams shall have at each end in the direction of their length a minimum bearing of eight inches on a sufficient pier of brick or stone or on a storey post of timber or iron fixed on a solid foundation

(*k*) If the load per square foot or the distance apart from centre to centre of the beams joists, purlins or rafters as specified in the tables prescribed by sub clauses (*a*) (*b*) and (*g*) respectively of this bye law be increased or reduced then the breadth specified in these tables shall be increased or reduced in the same proportion or shall be calculated by the formula —

$$W = \frac{8 K B D^2}{L}$$ and with a factor of Safety=8

Where W=breaking weight in cwts
K=a coefficient=19
B=breadth in inches
D=depth in inches
L=length in inches

Calculation of equal strength

(*l*) In calculating the size and strength required for any beam or other timber intended to be of a strength equal to or greater than that of any particular beam or other timber of the same length and of the dimension specified in the tables prescribed by sub-clauses (*a*) (*b*) and (*g*) respectively the following method shall be adopted —

In both cases the number of inches in the depth of such beam or other timber shall be multiplied by itself and the product shall be multiplied by the number of inches in the breadth The number thus obtained shall be taken to represent the strength of such beam or other timber

If B be the breadth and D the depth in inches of the one and B_1 and D_1, respectively, of the other then $B D^2 = B_1 D_1^2$

Timbers on edge

(*m*) The distance between the upper and lower surface of every beam joist purlin and rafter shall for the purposes of this bye law, be deemed to be the depth thereof

Construction of floors

34 "Every person who shall undertake construction work on a building shall construct the naharis or floors in such building in such manner that between the joists and floor there shall be a complete slab of stone or other impervious material if of stone the slab shall be not less than 2 in thickness if of reinforced concrete not less than 3" in thickness and if of iron not less than ¼" in thickness Such slab or impervious material shall be inserted 1½" into the surrounding wall and shall have a bearing to the same extent over the timber supports the sides being made water tight by cement to the satisfaction of the Municipal Commissioner

This Bye law has been substituted as per Government Resolution No 460, *dated the* 23*rd January* 1912, *General Department*

Design of floors

35 (*a*) Every person who shall undertake construction work on a masonry walled public building or on a masonry walled building of the warehouse class shall construct every floor included in such work of a design to carry the load hereinafter prescribed for the particular class of building to be constructed that is to say —

Of masonry walled public buildings

(*i*) In the case of a masonry-walled public building a load of not less than 1½ cwt per square foot

Of masonry walled buildings of warehouse class

(*ii*) In the case of masonry walled building of the warehouse class a load of not less than 2½ cwt per square foot

Of domestic buildings

(*b*) Every person who shall undertake construction work on a dwelling house shall construct every floor included in such work so as to carry a load of not less than 1½ cwt per square foot

Fireproof staircase

36 (*a*) Every person who shall erect a building intended to be used as a dwelling house for more than two families or for carrying on any trade or business in which a number of people exceeding twenty may be employed or as a place of public resort shall provide in such building at least one staircase (and by a staircase is meant treads and risers and the support to the same) extending from ground floor level to the highest floor level and of a minimum width of three feet clear length of tread throughout provided that where the staircase is to be used by more than 100 persons an additional width of one inch shall be provided for every additional 15 persons until a maximum width of nine feet be obtained Provided also that in lieu of a single staircase of the width in this sub-clause prescribed it shall be lawful to substitute two staircases each being of a width at least equal to two-thirds of the width in this sub clause prescribed for the single staircase but so that neither of such two substituted staircases shall be less than three feet wide The staircase (or instead the substituted staircases) so provided or where there are more than one one at least of such staircases shall be entirely constructed of stone cement, concrete iron or other fire resisting material or teak filled in with con[illegible]

(*b*) Where the staircase is less than 7 feet in width one hand rail shall be provided Where the staircase exceeds 7 feet in width one additional hand rail shall be provided in the centre The central hand rail may however be omitted where the staircase is made of considerable width for architectural effect only

For the purposes of this bye law each 30 square feet of floor space in a living room of a chawl, two room tenement house or workshop shall be assumed to be occupied by one person

Construction of staircases

37 Every person who shall undertake construction work on a building shall construct every staircase included in such work in accordance with the following regulations —

(*a*) Where the staircase is of stone and is the sole staircase in the building each step shall at each end be built into a supporting wall or masonry column and each step shall be cut from one stone and shall be at least 8 inches longer than the space between the wall or support at each end thereof and shall be built into such wall or support at least 4 inches at each end

(*b*) Where the staircase is of reinforced concrete two iron rods each of $\frac{1}{2}$ inch diameter or an equivalent section of metal the full length of the step and extending at least 4 inches into the wall or support at each end shall be embedded in each step

(*c*) Where the staircase is of iron each step shall be calculated as a girder supported at both ends or as a cantilever as the case may be, having a factor of safety of 4 when loaded with a weight of 100 lbs per lineal foot upon each step

(*d*) Where the staircase is of wood the stringers shall be not less than $1\frac{1}{2}$ inches in thickness and of such breadth as will permit 1 inch above the front edge of the tread and one inch below the bottom edge of the riser

When the staircase is of wood filled in with concrete the stringers shall be not less than $2\frac{1}{2}$" thick

(*e*) Where a wooden or wooden and concrete staircase exceeds 4'-0" clear tread in width a timber bearer shall be provided 6" × $2\frac{1}{2}$" extending throughout each flight of stairs in one piece where it exceeds 8 0" clear tread in width two similar bearers shall be provided and in the case of wooden and concrete staircase the soffit of the stairs shall be plastered with mortar composed of chunam sand and sufficient vegetable fibre to thoroughly bind the mortar

Ventilation of staircase

(*f*) Where the staircase is in a dwelling house and is not otherwise ventilated it shall be ventilated at the top by means of a window, or a ventilator or skylight in the roof

Rules as to accesses and stairs in certain buildings

37A In every public building and in any other building of more than one hundred and twenty five thousand feet in cubical extent and which is constructed or adopted to be used as a dwelling house for separate families the floors of the lobbies corridors passages and landings and also the flight of stairs shall be of fire resisting material and carried by supports of a fire resisting material

Iron work

38 Every person who shall undertake construction work on a building and who shall in the construction thereof employ iron or steel columns, posts girders or joists or other iron work for the support of any portion of such building shall employ and erect therein only such iron or steel columns posts girders and joists as shall in respect to quality and strength be approved by the Commissioner in that behalf

Open Buildings

39 Every person who shall undertake construction work on an open building shall construct the same in accordance with the following regulations —

(*a*) The posts shall be round or square of the dimensions prescribed for frame buildings and shall run down into the solid ground to such depth as shall be prescribed by the Commissioner in each case or shall be securely built into a mass of masonry constructed of suitable building material set either in lime or cement

(*b*) Two diagonal braces where necessary shall be provided one from each side of the post to the post plate and securely fastened thereto

(*c*) One diagonal brace where necessary shall be provided from one side of each post to the tie beam and securely fastened thereto

(*d*) The post plates shall be securely tied or braced across each angle

(*e*) The roof shall be properly and securely framed with trusses or with the written permission of the Commissioner supported by post or crossbeams

(*f*) The trusses shall be securely tied together by diagonal wind ties in both directions

40 Every person who shall undertake construction work on a building shall be responsible that all the building materials used are sound of good quality and properly put together so as to ensure safety Any breach of this bye law shall be brought directly to the notice of the Commissioner who shall in each such case satisfy himself either personally or by an Officer specially appointed for the purpose and not lower in rank than a Superintendent of Buildings, whether his bye law has been infringed or not

Responsibility for quality and workmanship

With respect to the provision and maintenance of sufficient open space either external or internal about building to secure a free circulation of air and of other means for the adequate ventilation of buildings (clause (d) section 461)

41 Every person who shall undertake construction work on a building shall if such building is situate within either of the areas scheduled in the margin hereof cause the whole of at least one side of every room included in such work and intended for human habitation to abut on an interior or exterior open air space of the width or dimensions, and fulfilling the conditions hereinafter prescribed for such open air spaces respectively or on an open verandah opening on to such an interior or exterior open air space as aforesaid

(a) Area bounded by Rampart Row Esplanade Road Hornby Road, Fort Street, Mint Road Custom House Road
(b) Area bounded by Carnac Road, 1st Marine Street, Queen's Road, Lamington Road to Bellasis Road to Morland Road to Saukh Street, Parel Road to Babula Tank Road Jail Road East Dongree Street to 1st Clinch Bunder Road to G I P Railway and G I P Railway to Carnac Road. Excluding Improvement Trust Estates.

(a) Every such interior open air space shall be of a minimum width in accordance with the following scale —

Minimum width of interior open air space throughout	Where height of building (above the plinth) adjoining the interior open air space does not exceed
10 feet	22 feet
12	33
14	44
16	55
18	66
20	Where height exceeds 66 feet

(b) Every such exterior open air space shall subject as hereinafter provided extend throughout the entire length or depth as the case may be of the building on the side of which such room so abuts and shall unless the same is a street be maintained for the benefit of such building exclusively and its minimum width shall subject to By law 41 B be in accordance with the following scale, varying according to the variation (if any) in the height of such building where it immediately adjoins such open air space that is to say —

Minimum width of exterior open air space throughout	Where height of building above the plinth does not exceed
10 feet	22 feet
12	33
14	44
16	55
18 ,	66
20	Where height exceeds 66 feet

Provided that in determining the exterior open air space required any neighbouring open air space which is assured by legislative enactment or by Municipal By laws or by contract to be permanently and irrevocably appropriated as an open air space may be treated as a permanently open air space required for the purposes of this By law

Provided further that an exterior open air space 10 feet wide within the plot on which such room is situate shall be considered sufficient for the purposes of this By law if the following conditions are satisfied —

(a) that at least one fourth of the site as defined by By law 41 A is kept open to the sky and unbuilt upon above the first floor level and

(b) that the building is not more than 44 feet high above plinth level where such building abuts on the said 10 feet wide open air space and that if more than 44 feet high above plinth level such building is set back 1 foot for every extra 2 feet in height

41-A The following provisions shall have effect with respect to construction work on a building on land previously unbuilt upon or on which buildings of moveable or temporary character only shall be standing, or shall have stood previously or which is situated in any area of the City other than those scheduled in By law 41 —

Every person who shall undertake on such land construction work on a building including work such as is referred to in Section 342 (*a*) of the Act but not including work such as is referred to in Section 342 (*b*) (*c*) (*cc*) or (*d*) of the Act shall provide adequate means of access for external air on its front and rear sides and shall provide every room intended for human habitation or capable of being so used with adequate means of access for external light and air to the satisfaction of the Commissioner in accordance with the following rules —

Definitions.

"Front air plane"

I The plane contained between the ground in front of the building and the straight lines drawn downwards and outwards from the line of intersection of the outer surface of any front wall of the building with the roof perpendicular to that line and at an angle of 63½° to the horizontal is for the purposes of these rules described as a front air plane

Note —The 63½° angle has a tangent of 2 1 so if the ground is level the air plane reaches the ground at a distance from the exterior wall equal to half the height of the wall above the level of that ground

"Rear air plane"

II The plane contained between the ground behind the building and the straight lines drawn downwards and outwards from the line of intersection of the outer surface of any rear wall of the building with the roof perpendicular to that line and at an angle of 63½° to the horizontal is for the purposes of these rules described as a "rear air plane" (*vide* Diagram No 1)

In all cases it shall rest with the Commissioner to decide which are the rear walls of the building

Note —In case of the front or rear wall of a building being curved or irregular, the front and rear air plane shall be as determined by the Commissioner

"Light plane"

III The plane lying between the line of intersection of the floor of any room in a building with the outer surface of an exterior wall of the building and the straight lines drawn upwards and outwards from that line perpendicular thereto and at an angle of 63½° to the horizontal is for the purposes of these rules described as a light plane (*vide* Diagram No II)

Note —For the purposes of the above definition of light plane the outer surface of any verandah abutting on an interior or side open space shall be considered to be the exterior wall of the building

"Permanently open air space"

IV An air space is deemed to be permanently open if—

(i) it is encroached upon by no structure of any kind, and

(ii) its freedom from encroachment in future by a structure of any kind is assured either by legislative enactment or by Municipal By laws or by contract or by the fact that the ground below it is a street or is permanently and irrevocably appropriated as an open space,

Provided that in determining the open air space required in connection with construction work on a building any space occupied by an existing structure may be treated as if it were already a permanently open air space if it is ultimately to become a permanently open air space when this By-law is applied to the said existing structure or to any building to be erected on the site of the said existing structure

"Site." "Inseparable part of the site"

V For the purposes of these rules the word site shall include not only the land actually covered by the building, but also the land at the front rear and sides of such building required by these rules to be left open and the words an inseparable part of the site' shall mean that part of the site which is the property of the owner of the land on which the building stands

Standards

"Front and rear air space open air space"

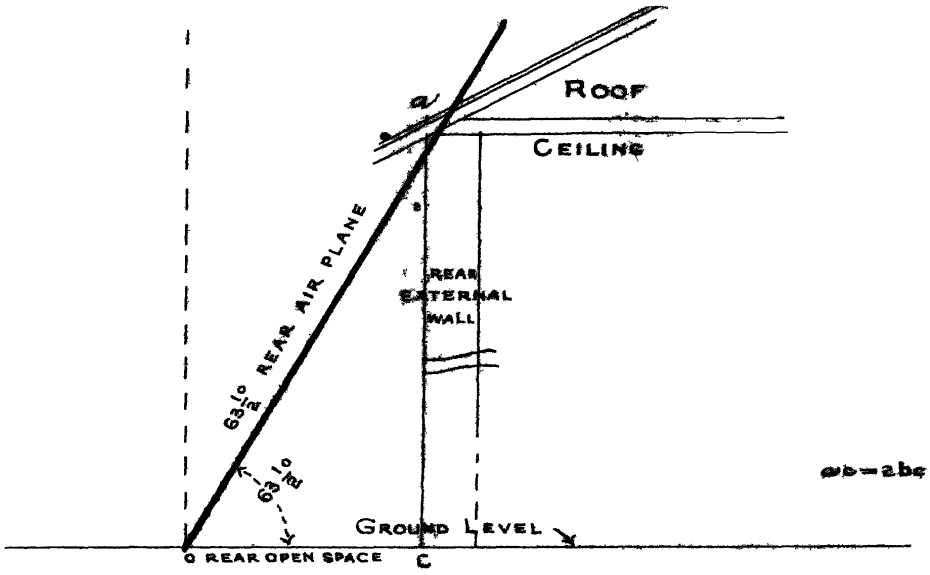
VI Subject to Rules VIII and IX a building is deemed adequately provided on its front and rear sides with means of access for external air if the whole space vertically above all its front and rear air planes is a permanently open air space

"Lighting of rooms for human habitation"

VII Subject to Rules VIII to X a room is deemed adequately provided with access for external light for the purpose of human habitation if the whole space vertically above at least one of its light planes is a permanently open air space

DIAGRAM Nº 1

SHEWING THE $63\frac{1}{2}^{\circ}$ REAR AIR PLANE



NOTE - THE AIR PLANE RULE REQUIRES THAT THERE SHALL BE NO ERECTION ENCROACHING ON THE AIR SPACE ABOVE THE AIR PLANE TO THE RIGHT OF THE VERTICAL DOTTED LINE

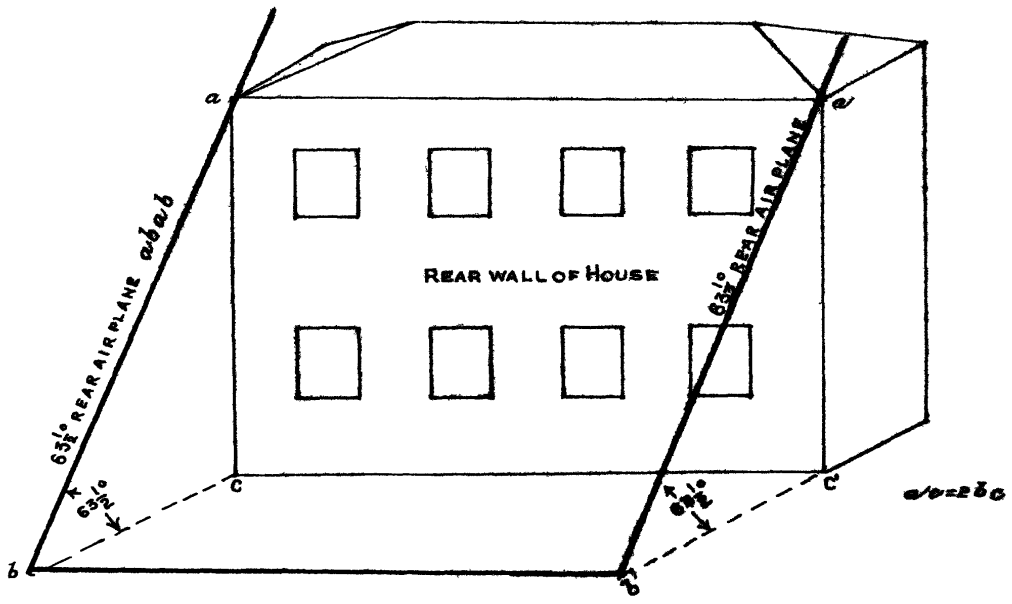
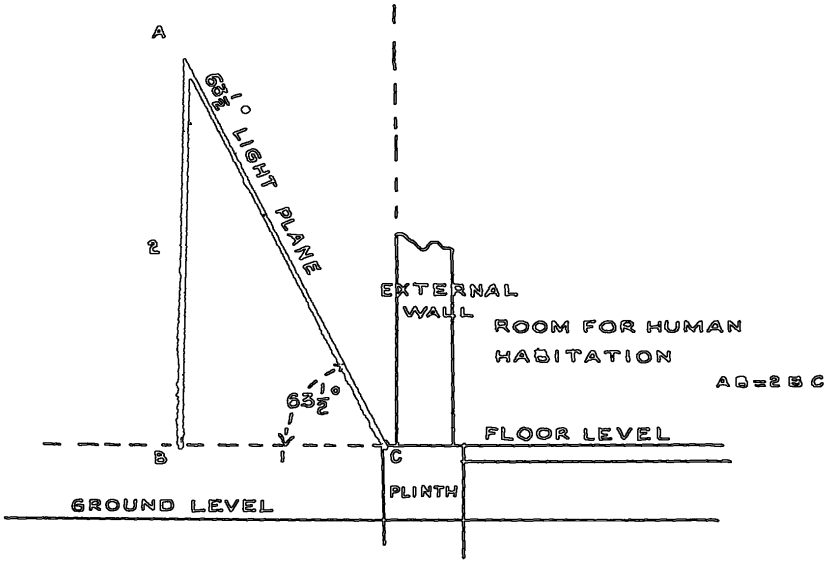
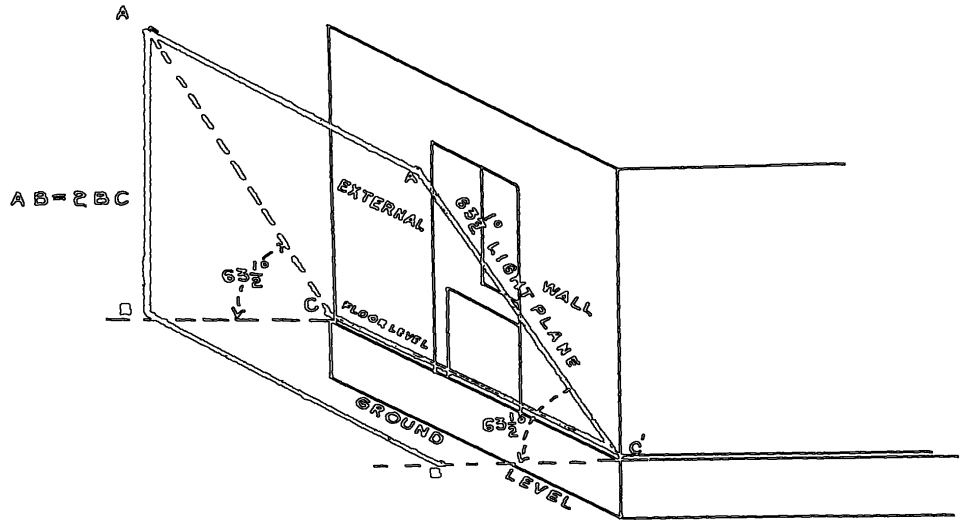


DIAGRAM N° II

SHEWING THE $63\frac{1}{2}^{\circ}$ REAR LIGHT PLANE



NOTE - THE LIGHT PLANE RULE REQUIRES THAT THERE SHALL BE NO ERECTION ENCROACHING ON THE AIR SPACE VERTICALLY ABOVE THE LIGHT PLANE TO THE LEFT OF THE VERTICAL DOTTED LINE



THE LIGHT PLANE EXTENDS AD INFINITUM FROM CC UPWARDS BETWEEN CA & CA

Minimum front rear and side open spaces around buildings

VIII. No building shall be erected within 15 feet from the centre line of any street as determined by the Commissioner, and every building not fronting on a street shall have a permanently open air space in front thereof not less than 15 feet wide forming an inseparable part of the site of such building

"Front

IX. Every building shall have a permanently open air space in the rear not less than 10 feet in width such air space forming an inseparable part of the site

'Rear

X. Every habitable room not receiving its light and air from either the front or rear of a building in accordance with the 63½° rule shall have the whole of one side thereof abutting on a permanently open air space of not less than 10 feet in width

'Side "

41-B (1) Every person who shall undertake construction work, other than that described in Section 342 (*b*) (*c*) (*cc*) or (*d*) of the Act on a building situated away from a street shall provide in front of the said building and extending throughout its entire frontage an open air space at least half as broad as the building is high Such open air space shall form an appurtenance of such building alone and of no other and shall be inclusive of any means of access required under these By-laws In the event of any dispute as to what constitutes the front of such building the same shall be referred to the Commissioner whose decision shall be final

Buildings built away from streets

(2) Every building on which construction work other than that described in Section 342 (*b*) (*c*) (*cc*) or (*d*) of the Act is undertaken and which or any portion of which comes or, after alteration will come within the definition of a dwelling house as defined by these By laws and which or any portion of which is distant more than 80 feet from the street nearest to such building shall so far as it lies at a greater distance than the 80 feet aforesaid abut on an open air space at least half as broad as the building is high and co-extensive with the external walls of the said building and such open air space shall form an appurtenance of the said building alone and of no other and the said open space shall be provided with suitable and sufficient means of access to the satisfaction of the Commissioner

Buildings more than 80 feet in depth from street line

41-C No addition to a building shall be allowed unless the addition is such as would be permissible if the whole building were reconstructed from the plinth with the open spaces required under the By laws appropriate to the site of the building and no addition to a building shall be allowed which would diminish the extent of open air space below the minimum which is required by the By laws appropriate to the site of the building

41 D Every open space, whether exterior or interior provided in pursuance of these By laws shall be and be kept free from any erection thereon and open to the sky and no cornice roof or weather shade shall overhang or project over the said open space so as to reduce the width to less than the minimum provided by these By-laws No open drain except for rain water shall be constructed in any open space required by these By laws

42 Every person who shall erect a storey on a building intended to be used as a dwelling shall construct every room intended to be inhabited in that storey except a room in the roof thereof so that the same shall be in every part at least ten feet in height from the floor to the ceiling

Provisions as to height dimensions and ventilation of rooms in dwellings

He shall so construct every such room in the roof of such building that the same shall have an average height of at least eight feet from the floor to the ceiling and a minimum height of not less than four feet

He shall so construct every such room that the same shall have a clear superficial area of not less than one hundred square feet

Superficial area of rooms

He shall so construct every such room that the same shall be ventilated by means of doors or windows which open directly into the external air and have an aggregate opening equal to not less than one fourth of the superficial area of that side of the room which faces an open space

Ventilation of rooms

43 In back to back rooms and other single or two rooms tenements in addition to any other means of ventilation required in these bye laws every such room shall have a ventilator of at least 3 square feet in area near the top of each of two of the walls of such room and such ventilators shall be as far as practicable opposite to each other In the case of upper rooms one of such ventilators may be represented by a ridge ventilator or ventilating tiles

Through Ventilation

44 Every corridor in a chawl shall be and shall be kept open to the open air at each of its ends Every such corridor which is more than fifty five feet in length shall be provided at intervals of not more than thirty-five feet with openings on both sides of the corridor of not less than five feet square communicating freely with the open air to its full height

Corridors in chawls

The separation between the corridor and such air shafts shall be by a parapet wall not exceeding four feet in height or by an iron railing

With respect to the provision and maintenance of suitable means of Access to Buildings (clause (dd), section (461)

45 Every person who shall erect a building shall provide as means of access to such building a pathway not less than 8 feet in width from a street to the door of such building, such pathway to be so long as it is used as a means of access to that building maintained free from any obstruction and shall not at any time cause or permit any portion of any building below a height of twelve feet to overhang or project over or into such passage

He shall indicate upon any plan required to be furnished by him under section 338 or 343, the whole area of such means of access by a distinguishing colour and description

He shall not at any time erect or cause or permit to be erected or re-erected any building which in any way encroaches upon or diminishes the area so set apart for this purpose

The space so set apart shall be separately distinguished from any house gully or open space required to be provided under any other bye-law made under this Act

46 A person who shall undertake construction work on a building shall not reduce the access to any building previously existing below the minimum width of eight feet

47 The means of access under these bye-laws shall not be deemed to be suitable and sufficient until they have been approved by the Commissioner who shall have power to prescribe the street with which they shall communicate

Penalties

48 Every person who shall commit any breach of any of the foregoing bye-laws shall be punishable with fine which may extend to twenty rupees and in the case of a continuing breach with fine which may extend to ten rupees for every day after conviction for the first breach or after receipt of written notice from the Commissioner to discontinue the breach during which the breach continues

Evidence of exercise of power, duties or functions

49 Whenever under any of the foregoing bye-laws the doing or the omitting to do a thing or the validity of anything depend upon the sanction permission approval order direction requisition notice or satisfaction of the Commissioner a written document signed by the Commissioner or by any Municipal Officer to whom the Commissioner may have delegated his powers duties or functions in that behalf purporting to convey or set forth his sanction permission approval order direction requisition notice or satisfaction shall be sufficient *prima facie* evidence of such sanction permission, approval order direction requisition notice or satisfaction

50 Notwithstanding anything in the foregoing bye-laws, it shall be in the discretion of the Commissioner by written permission—

(*a*) to permit any of the dimensions prescribed by any such bye law to be modified in respect of a building or

(*b*) to exempt from the operation of the said bye laws or any of them any temporary structure intended to stand for a shorter period than three months

but subject in each case to such conditions, if any, as he may think proper to attach to such permission or exemption

P W MONIE

Municipal Commissioner

for the City of Bombay

The Times Press, Bombay—136 20.

G. ? S VI—G/32]

SUBJECT

Diary no of letter replied to 530-20

General and Revenue Secretariat

Date of issue 26 7 21

Signed by Dm. Mr. Rawsva

With ref to your letter
No. 78 dt 12th July 1920 submit
ting proposals under Section 96
(2) of the Land Rights in the Kandy
& Sabaragamuwa Dts Land Rights
to impose conditions as to
assignment of timber or other
use of timber or

over

contents of the rooms in a
building, I am directed to
forward herewith a printed
copy of draft Building Bye-laws (L to
for proposed erection in the
Bombay Presidency and to re-
quest you to do so as soon as
practicable after the receipt of this
letter. They are approved to and
should thereafter and to return
a copy of these regulations duly
signed with any modifications, if
any, as may be
[illegible]

Enclosure

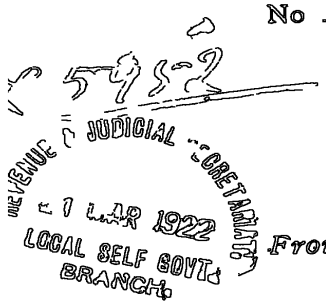
Copied by

Examined by

OFFICE OF THE CITY MUNICIPAL COUNCIL,

No —

Bangalore City, dated 17th March 1922.



From ANANDA RAO SIRSI, Esq, B A, LL B,
President, Municipal Council,
BANGALORE CITY

To

C Venkata Rao, Esq, B A,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore

Sir,

With reference to your letter No L 536/Ml 60-18-16 dated 26th July 1921, forwarding a printed copy of draft building bye-laws for Mofussil Municipalities in the Bombay Presidency and calling for the views of the Municipal Council as to whether they may be adopted in the City Municipality with necessary modifications, I have the honor to state that these bye-laws were considered first by the Bye-law Committee and then by the Municipal Council along with certain amendments proposed to the existing building bye-laws of this Municipality. The amendments were approved by the Council at the Meeting held on the 4th March 1922. Copy of the Councils' resolution is forwarded for information. The approved amendments to the bye-laws will be duly published and objections called for and a further report will be submitted in due course.

The printed copy of building Bye-laws received with the letter under reply is returned.

I have the honor to be,

Sir,

Your most obedient servant

President

(R.S-1)

37148

192

From The Officiating Secretary
City Improvement Committee
& Bangalore —

To The Secretary to Government
Revenue Department
Bangalore

Dated

Despatched

Received 21 MAR 1922

General No 207
No

Enclosure No Two.

Re Adoption of building
Bye-laws of Bombay presidency

Referring to the Presidency
copy of building Bye-laws together
with a copy of the Council No. 1
and Statement of the approved
amendments to the Bye laws will
be duly published and objections
called for and in the report being

No.22.

PROCEEDINGS OF AN ORDINARY GENERAL MEETING OF THE CITY MUNICIPAL COUNCIL, BANGALORE, HELD IN THE COUNCIL CHAMBER, ON SATURDAY THE 4th MARCH 1922, AT 8 A.M.

PRESENT.

1. Ananda Rao S.Sirsi, Esq., B.A., LL.B., (President)
2. D. Abdur Rahman, Esq., B.A., (Vice-President).

COUNCILLORS.

1.D.Chinnaswami Chetty, Esq.,
2.J.B.Honnurappa, Esq.,
3.Mynala Lallayya, Esq.,
4.P. N. Lacanna, Esq.,
5.C.Siddaveerappa, Esq.,
6.D Adonna, Esq.,
7.D.V.Ramaswami Chetty, Esq., B.A.,
8.M. Lubbayya, Esq., B.A.,
9.N.Gopalaswami Iyer, Esq.,
10.S.Venkataramu Iyer, Esq., B.A.,
11.C.Nayavadana Rao, Esq., B.A., B.L.,
12.H. Krishnappa, Esq., B.A.,
13.K.V.Chandrasekhariah, Esq., B.A., LL.
14.P. Subbarama Chetty, Esq.,
15.Rao Sahib H. Channiah, Esq.,
16.Rev. A. Brockbank,
17.J.R. Isaac, Esq., B.A., M.B.L.,
18.P. Murugesam Pillay, Esq.,
19.M. Abbas Khan, Esq.,
20.S.Venkatarangа Iyengar, Esq.,
21 J.E.Narasinga Rao, Esq.,

ABSENT.

1.C.V.Narasimha Iyengar, Esq., B.A., B.L., 3.B.P.Garudachar, Esq.,
2.D. V. Krishna Iyengar, Esq., 4.S.Venkatachala Iyengar, Esq, B.A. B.L.
5.V.Manickavelu Moodaliar, Esq.,

Vacant Two.

X X X X X

17 Draft amendment to Building Bye-laws as approved by the Bye-law Committee dated 14th February 1922

Also letter No L 536/M1 60-18-16 dated 26th July 192_ from the Secretary to Government, Revenue Department, forwarding copy of draft building Bye-laws for Mofussil Municipalities in the Bombay Presidency and calling for the views of the Municipal Council as to whether they are agreeable to adopt in the Bangalore City Municipality with such modifications, if any

Resolution -The draft bye-laws may be published and objections called for

Sd/- Ananda Rao Sirsi,
President

"COPY"

President

MODEL BUILDING BY-LAWS

FOR

MOFUSSIL MUNICIPALITIES

(under section 48 *(1) (o)* and *(p)* of the Bombay District Municipal Act, 1901)

[Price—6*a*. or 7*d*.]

Accompaniment to Government Order, General Department, no 6315, dated the 12th September 1918.

Draft of Model Building By Laws for Ordinary Municipalities

By law under section 48 (1) (o)

No person shall erect a building on a plot not abutting on a public street unless he has made adequate provision for access to the building from an existing public street or from a public street of which the lines have been laid down by the Municipality

Access from buildings to public streets

By laws under section 48 (1) (p)

1 'Plot means land covered or to be covered by a building together with such adjacent open land as the owner of the building may reserve as an appurtenance of the building, and, for the purpose of by law no 2, clauses (2), (3) and (4), shall be treated as if it included any street land adjacent to it

Definition of plot

2 Within the boundary of every plot in which a building is or is to be erected, there shall be provided and maintained such minimum open space as is required in order to satisfy the following conditions —

Open space in plot

* (1) Within the sections of the municipal district described in plan and schedule I the maximum proportion of any plot that may be covered with buildings at any one time shall be, in section A *two third*, in section B *one half*, in section C *one third* and in section D *one fourth*

Proportion of plot to be kept open

(2) Every front or rear wall shall be so constructed that its height shall not exceed *twice* or in the case of two storeyed houses *two and a half* times the average distance separating the wall from the front or rear boundary of the plot such distance shall be measured at right angles to the wall

Height of front or rear wall proportionate to breadth of adjacent open space in plot

(3) Between the building and the rear boundary of the plot there shall be a space open to the sky extending from every point of the rear wall to an average distance of at least *ten* feet subject to a minimum of *five* feet at any point, such distance being measured at right angles to the wall provided that for buildings which contain a chowk on which windows satisfying by law no 3 abut, such average distance may be reduced from *ten* feet to *six* feet

Minimum rear open space in plot

Note—Nothing in this clause shall prevent the Managing Committee from permitting the erection of boundary walls not exceeding seven feet in height or, subject to compliance with the following conditions, a ground floor privy on the rear open space —

Boundary walls and privies in rear open space

Conditions—

(*i*) the height above ground level shall not exceed *eight* feet,

(*ii*) the area covered shall not exceed *thirty* square feet,

(*iii*) the privy shall be accessible to municipal sweepers

(4) Adjacent to every room likely to be used for human habitation or separated therefrom by a verandah only, there shall be within the boundary of the plot an exterior space open to the sky and extending along the whole of at least one side of the room to at least the depth set out in the following table, such depth being measured—

Minimum open space adjacent to living rooms.

(*i*) where there is no verandah adjacent to the room, from every point of the wall of the room and at right angles thereto,

(*ii*) where there is a verandah adjacent to the room from outside the verandah

Depth for ground floor room	*Six* feet
Depth for first floor room	*Nine* feet
Other rooms	*Twelve* feet

[illegible] that if any ground floor room is not likely to be used for human habitation [illegible] floor rooms above it shall, for the purposes of this computation [illegible] considered a ground floor room, the second floor room shall be considered a first floor room and so on

[illegible] the whole municipal area There may be [illegible] for which no such [illegible]

3 Every room likely to be used for human habitation—

Minimum height and area of living rooms

(*a*) shall have an average height of at least *eight* feet,

(*b*) shall have a floor area of at least *hundred* square feet,

(*c*) shall be provided with a window or windows which shall have in the aggregate an area equal to at least *one-fifteenth* of the floor area of the room and shall abut on or be

Minimum window area in living rooms

separated only by a verandah from a space or spaces open to the sky satisfying by-law 2, clause (4)

4 By-laws 2 and 3 shall not apply when any reconstruction work not involving any interference with the ground floor storey (including walls and ceiling) is undertaken

Application of these by laws to existing buildings

In other cases of reconstruction the extent to which the said by laws shall be enforced shall be determined by the Managing Committee subject to an appeal to the General Body but when any existing building is altered, enlarged, reconstructed, converted or added to within the meaning of clauses (*a*), (*b*), (*c*) (*d*) and (*f*) of the explanation under section 96 of the Bombay District Municipal Act, 1901—

(*i*) the requirements of by-law 3 must be satisfied in the case of every room in which material alterations are made, except that the open space or spaces need not satisfy by law no 2, clause (4),

(*ii*) the existing open space shall not be further reduced if it is less than *one third* of the whole area of the plot, and if it is more than *one-third* of the whole area of the plot it shall not be reduced so as to make it less than *one third*

(*iii*) the height, if already in excess of the limit prescribed under by-law no 2, clause (2) in the case of a newly erected building, shall not be further increased

5 No building shall at any time after the passing of these by laws be allowed on any portion of an open space which is at such time adjacent to a building and which at such time

Building on spaces prohibited

or at any time after the passing of these by laws is or has been held by the owner of that building, except in so far as the maintenance of such space as an open space is not required by by law no 2

Appendix to Model By laws for ordinary Municipalities.

Plan and Schedule I—Vide by law 2 (1)

Section A—includes—

1 the Chaklasi ward
2 the Nanpura ward
3 the Jamalpur ward
4 the portion of the Sadashiv ward north of the Ferguson road

Section B—includes—

the portion of the Sadashiv ward south of the Ferguson Road

Section C—includes the Asarva ward

Section D—includes the whole remaining area of the municipal district not specified above

(For plan *vide* plan of municipal district in Municipal Office)

Draft of Model Building By-laws for Advanced Municipalities

By law under section 48 (1) (o)

1 No person shall erect a building on a plot not abutting on a public street unless he has made adequate provision for access to the building from an existing public street or from

Access from buildings to public streets.

a public street of which the lines have been laid down by the Municipality

By laws under section 48 (1) (p)

1 'Plot' means land covered or to be covered by a building together with such adjacent open land as the owner of the building may reserve as an appurtenance of the build

Definition of plot

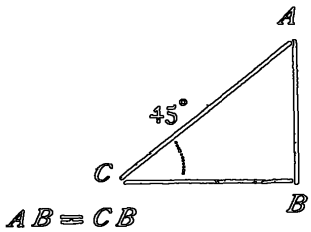
ing and for the purpose of by law no 2, clauses (2), (3) and (4) shall be deemed to include any street land adjacent to it

'Controlling Line' means a straight line drawn from any point on the line of intersection of the roof with any front or rear wall of a building towards the front or rear boundary

Definition of controlling line

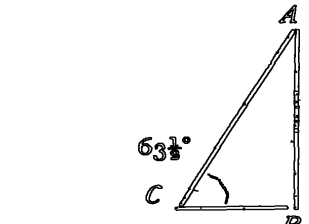
respectively of the plot at an inclination of 45*/63½ degrees or in section A of the Municipal District described in plan and schedule I at an inclination of 63½*/68 degrees to the horizontal in a vertical plane through that point at right angles to the wall

* The figures 45 and 63½ and 63½ and 68 are meant to be read alternatively the smaller figures or the larger figures being adopted by each municipality which ever is thought more suitable.



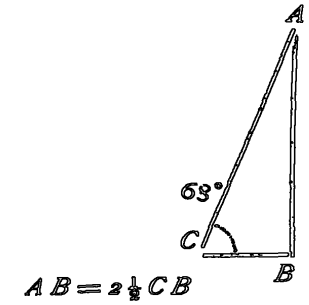
$AB = CB$

Note 1—The 45 degrees inclination is a slope of 1 to 1 so that the controlling line A C will reach the ground at a distance from the wall A B equal to the height of the wall



$AB = 2\,CB$

The 63½ degrees inclination is a slope of 2 to 1 so that the controlling line A C will reach the ground at a distance from the wall A B equal to half the height of the wall



$AB = 2\frac{1}{2}\,CB$

The 68 degrees inclination is a slope of 2½ to 1 so that the controlling line A C will reach the ground at a distance from the wall A B equal to two fifths of the height of the wall

Note 2—The 68 degree rule should be considered the minimum and where circumstances allow a Municipality would be well advised to allow a 45 degree rule

2 Within the boundary of every plot in which a building is or is to be erected there shall be provided and maintained such minimum open space as is required in order to satisfy the following conditions —

Open space within plot

*(1) Within the sections of the municipal district described in plan and schedule II the maximum proportion of any plot that may be covered with buildings at any one time shall be, in section A *two-third*, in section B *one half* in section C *one third* and in section D *one-fourth*

Minimum proportion of plot to be kept open

*(2) Every building shall be so limited in height that its controlling lines all reach the ground within the boundary of the plot

Height of building limited by controlling line

(3) Between the building and the rear boundary of the plot there shall be a space open to the sky extending from every point of the rear wall to an average distance of at least *ten* feet, subject to a minimum of *five* feet at any point, such distance being measured at right angles to the wall provided that for buildings which contain chowk on which

Minimum rear open space in plot

* If sections do not necessarily cover the whole municipal area There may be areas for which no such restriction is prescribed by this clause

* The general letters of the clause are indicated in the attached diagrams.

windows satisfying by law no 3 abut, such average distance may be reduced from *ten* feet to *six* feet

Note— Nothing in this clause shall prevent the Chief Officer / Municipal Commissioner from permitting the erection of boundary walls not exceeding *seven* feet in height or, subject to compliance with the following conditions, a ground floor privy on the rear open space —

Boundary walls and privies in rear open space

(*i*) the height above ground level shall not exceed *eight* feet,

(*ii*) the area covered shall not exceed *thirty* square feet

(*iii*) the privy shall be accessible to municipal sweepers

(4) Adjacent to every room likely to be used for human habitation, or separated from such rooms only by a verandah, there shall be within the boundary of the plot an exterior space open to the sky and extending along the whole of at least one side of the room to at least the depth set out in the following table, such depth being measured —

Minimum open space adjacent to living rooms

(*i*) where there is no verandah adjacent to the room, from every point of the wall of the room and at right angles thereto,

(*ii*) where there is a verandah adjacent to the room, from outside the verandah

	In section		
	A	*B*	*C*
Depth for ground floor room	*six*	*nine*	*twelve*
Do first do	*nine*	*twelve*	*fifteen*
Other rooms	*twelve*	*fifteen*	*eighteen*

Sections A, B and C are as laid down in plan and schedule III

Provided that if any ground floor room is not likely to be used for human habitation the first floor room above it shall for the purposes of this computation, be considered a ground floor room, the second floor room shall be considered a first floor room, and so on

3 Every room likely to be used for human habitation—

Minimum height and area of living rooms

(*a*) shall have an average height of at least *eight* feet,

(*b*) shall have a floor area of at least *hundred* square feet,

(*c*) shall be provided with a window or windows which shall have in the aggregate an area equal to at least *one fifteenth* of the floor area of the room and shall abut on or be separated only by a verandah from a space or spaces open to the sky satisfying by law 2, clause (4)

Minimum window area in living rooms

4 By laws 2 and 3 shall not apply when any reconstruction work not involving any interference with the ground floor storey (including walls and ceiling) is undertaken In other cases of reconstruction the extent to which the said by laws shall be enforced shall be determined by the Chief Officer / Managing Committee subject to an appeal to the Managing Committee / Municipality, but when any existing building is altered, enlarged, re constructed, converted or added to within the meaning of clauses (*a*), (*b*), (*c*) (*d*) and (*f*) of the explanation under section 96 of the Bombay District Municipal Act, 1901,

Application of by laws 2 and 3 to existing buildings

(*i*) the requirements of by law no 3 must be satisfied in the case of every room in which material alterations are made except that the open space or spaces referred to in by law 3 (*c*) need not satisfy by-law 2, clause (4),

(*ii*) the existing open space shall not be further reduced if it is less than *one third* of the whole area of the plot and if it is more than *one third* of the whole area of the plot it shall not be reduced so as to make it less than *one third*

(*iii*) the height, if already in excess of the limit prescribed under by law no 2, clause (2), for a newly erected building, shall not be further increased

5 No building shall at any time after the passing of these by laws be allowed on any portion of an open space which is at such time adjacent to a building and which at such time or at any time after the passing of these by laws is or has been held by the owner of that building, except in so far as the maintenance of such space as an open space is not required by by law no 2

Building on reserved open spaces prohibited

Appendix to Model By-laws for Advanced Municipalities

Plan and Schedule I (vide By law no 1)

Section A includes —

1 The whole of the Darya Khan ward

2 That portion of the Manik ward which lies south of the Ghi Kantha Road

For plan *vide* the City Survey Map

Plan and Schedule II [vide By law 2 (1)]

Section A includes —

1 The Kalupur ward

2 The Darya Khan ward

3 That portion of the Manik ward which lies south of the Ghi Kantha Road

Section B includes —

1 The Jamali ward

2 That portion of the Manik ward which lies north of the Ghi Kantha Road

Section C includes —

1 That portion of the Pura ward A which lies on the west of the Sabar river

2 That portion of Pura ward B which lies on the east of the railway line

Section D includes the remaining portions (not specified above) of Pura ward A and Pura ward B

(For plans *vide* the City Survey Map)

Plan and Schedule III [vide By law no 2 (4)]

Section A includes —

1 The Kalupur ward

2 The Darya Khan ward

3 That portion of the Manik ward which lies south of the Ghi Kantha Road

Section B includes —

1 The Jamali ward

2 That portion of the Manik ward which lies north of the Ghi Kantha Road

Section C includes the whole of Pura wards A and B

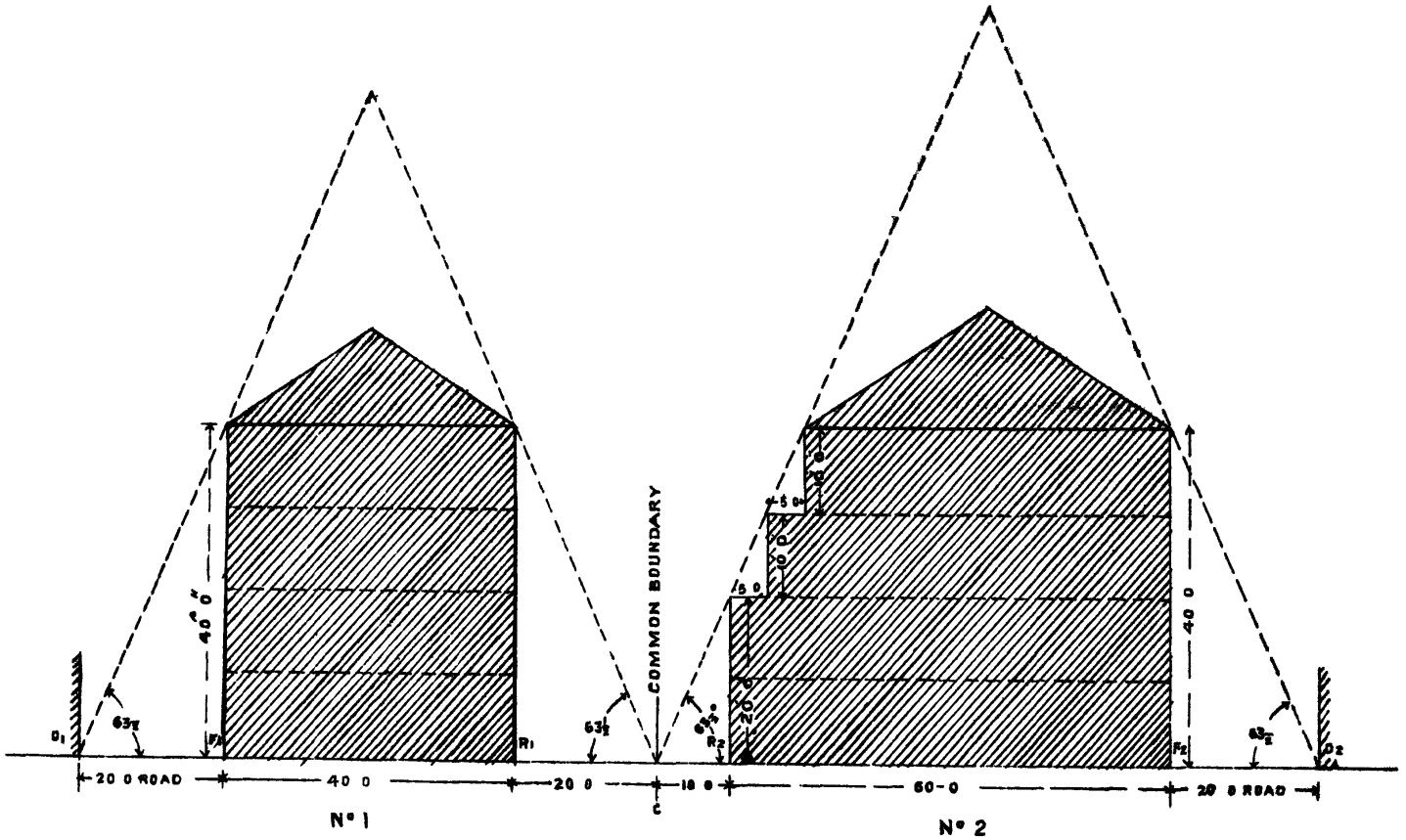
Diagrams referred to in foot note to by law 2, clause (2)

In these diagrams F indicates a point on the front of a building, R a point on the rear, O the opposite side of a road, C common boundary between two plots, G the boundary of a gully

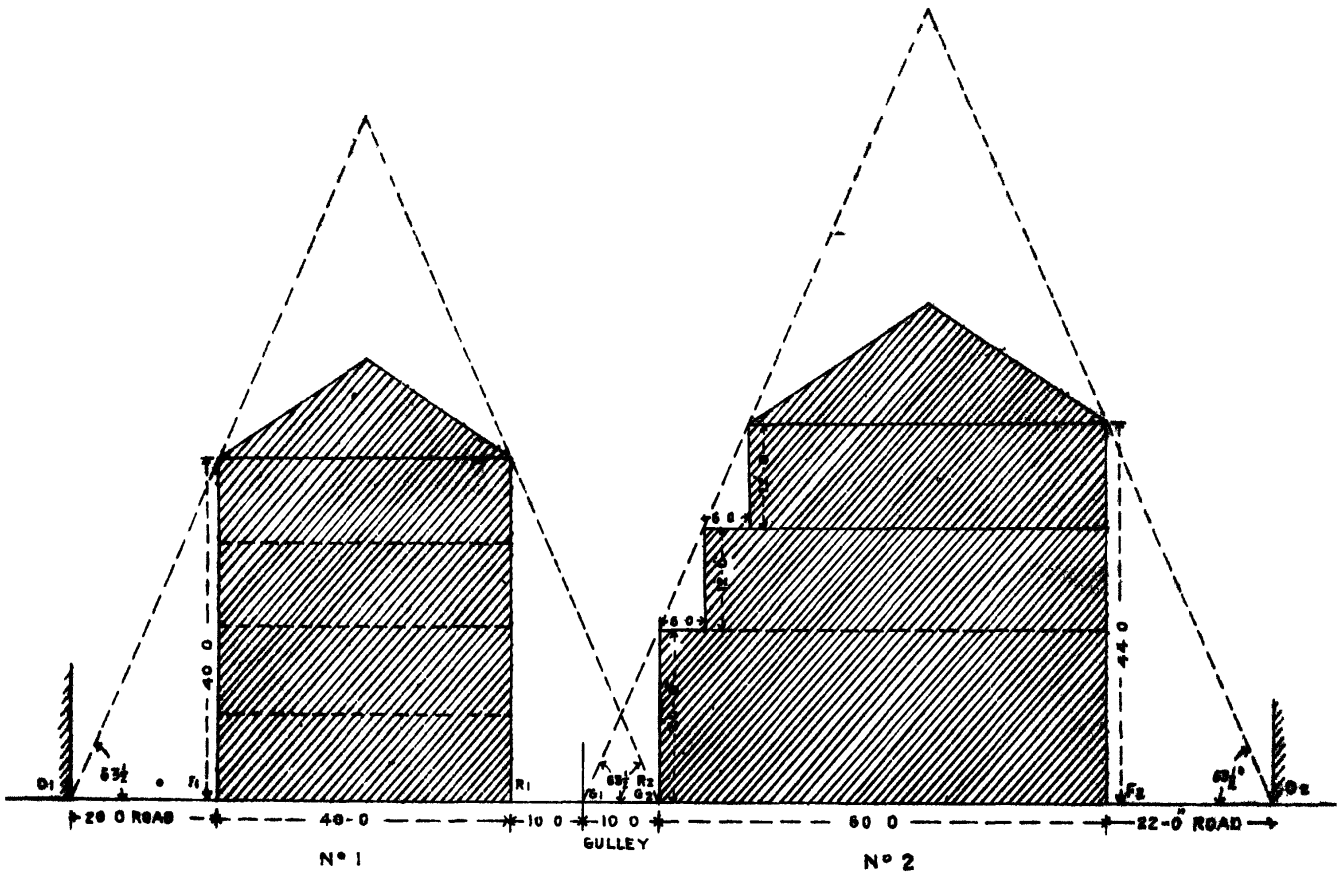
No 1 is a building without set backs, no 2 is a building extended within the controlling lines by means of set backs

SCALE 80-

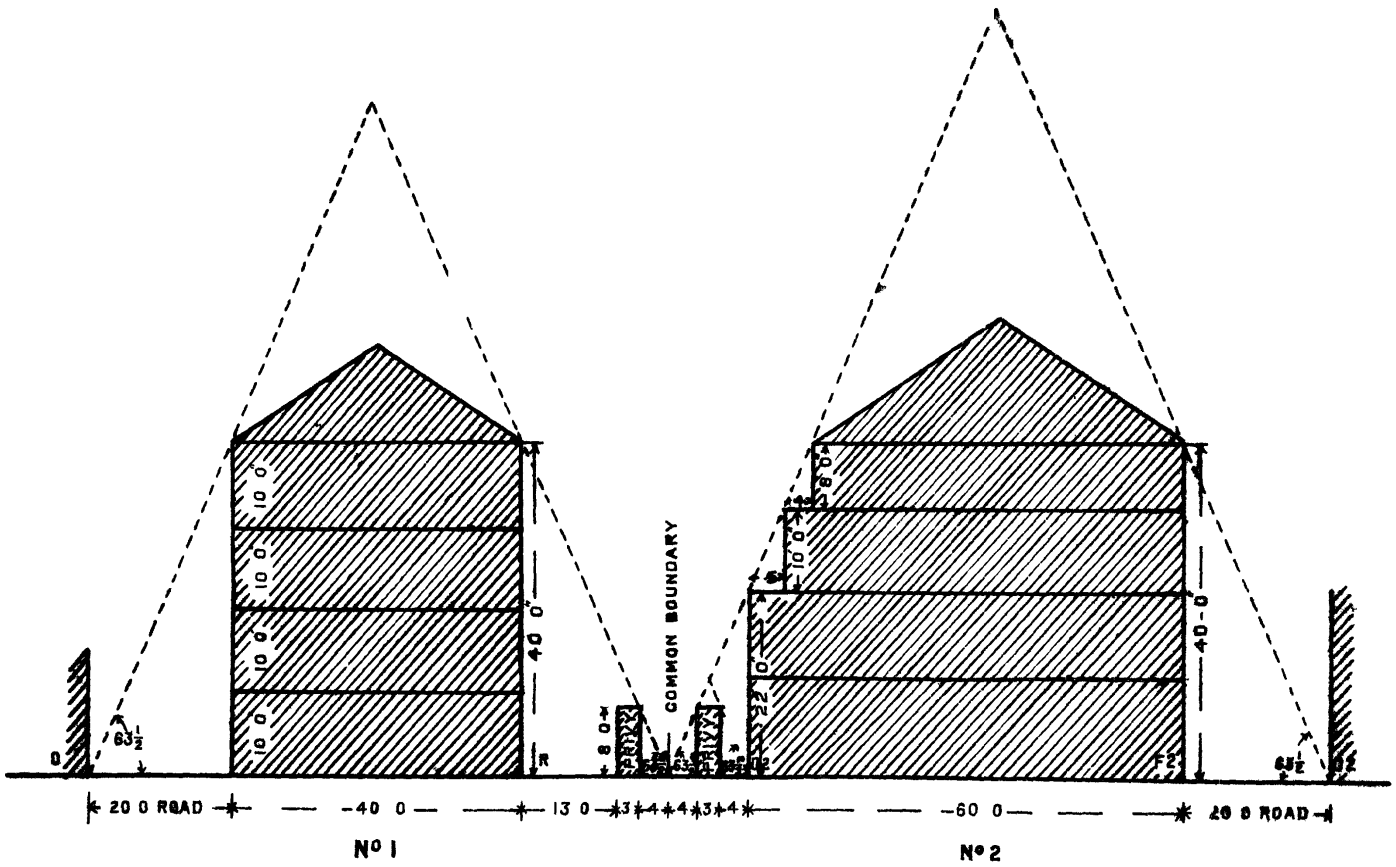
I



The rear open space is 20′ broad for No 1 but only 10′ broad for No 2 The second and third storeys of No 2 have to be set back 5′ each so that above the 30 level both houses are set back 20′ from the common boundary



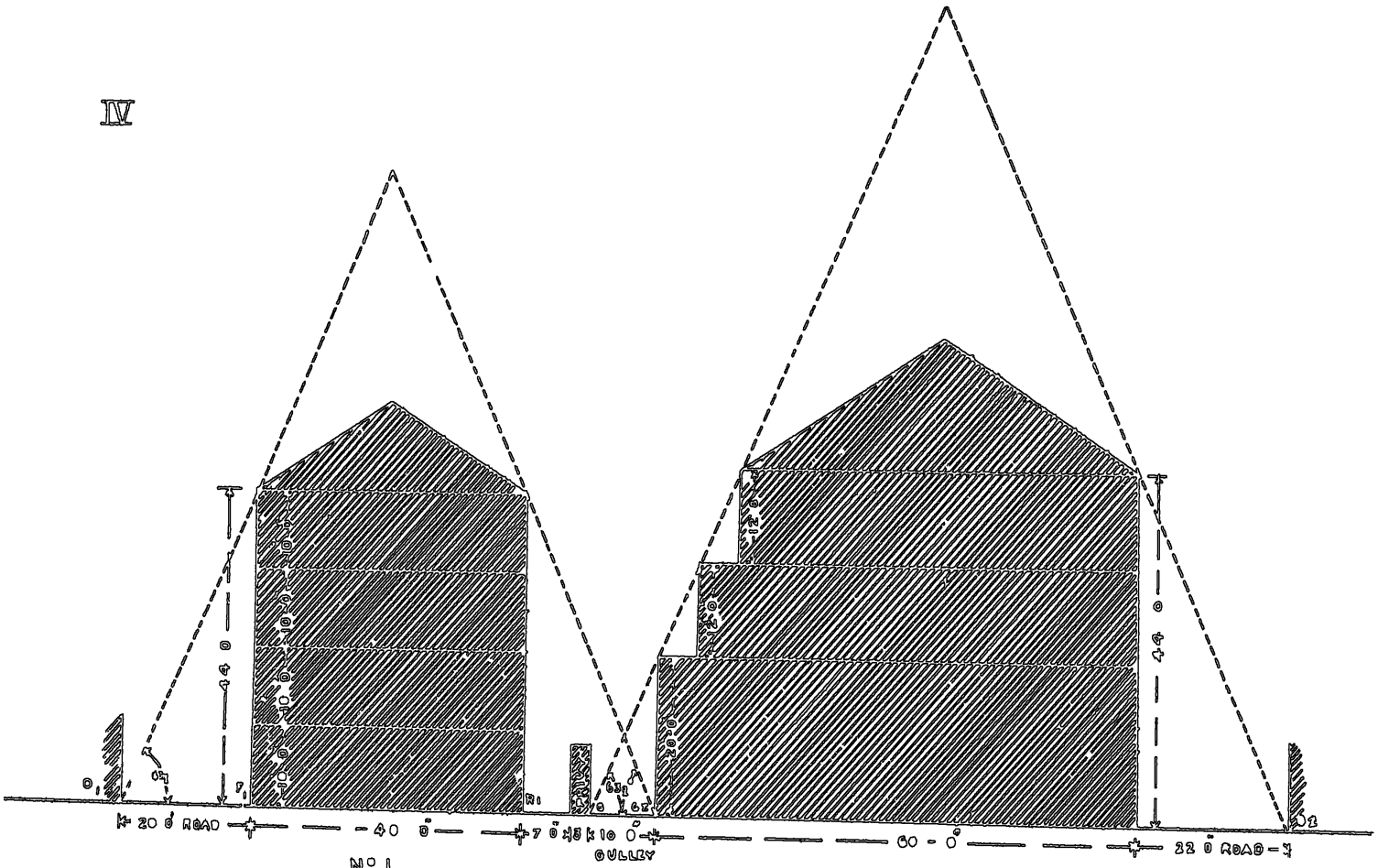
Here both houses abut in rear on a gully which counts towards the rear open space of both houses Consequently, No 1 has a rear open space of 10′ in his own land plus 10′ gully and builds his house 40′ high No 2 has no rear open space in his site at ground level He builds 20′ high on the edge of the gully and above the 20′ level has two set backs of 6 each and two storeys each 12 high



Here each house has a detached privy as near the common boundary as possible The privies being 8′ high must be each at least 4 from the common boundary and 4′ from the main building to be within the controlling lines The main building No 1 is set back 20′ from the common boundary while main building No 2 extends upto 11′ from the common boundary and is there 22′ high The next floor is 10′ high set back 5′ and the next 8′ high set back 4 The main building has to be 11 not 10′ from the common boundary because 3 is required for the privy and 4′ front and rear open space on either side of the privy

SCALE 20-1"

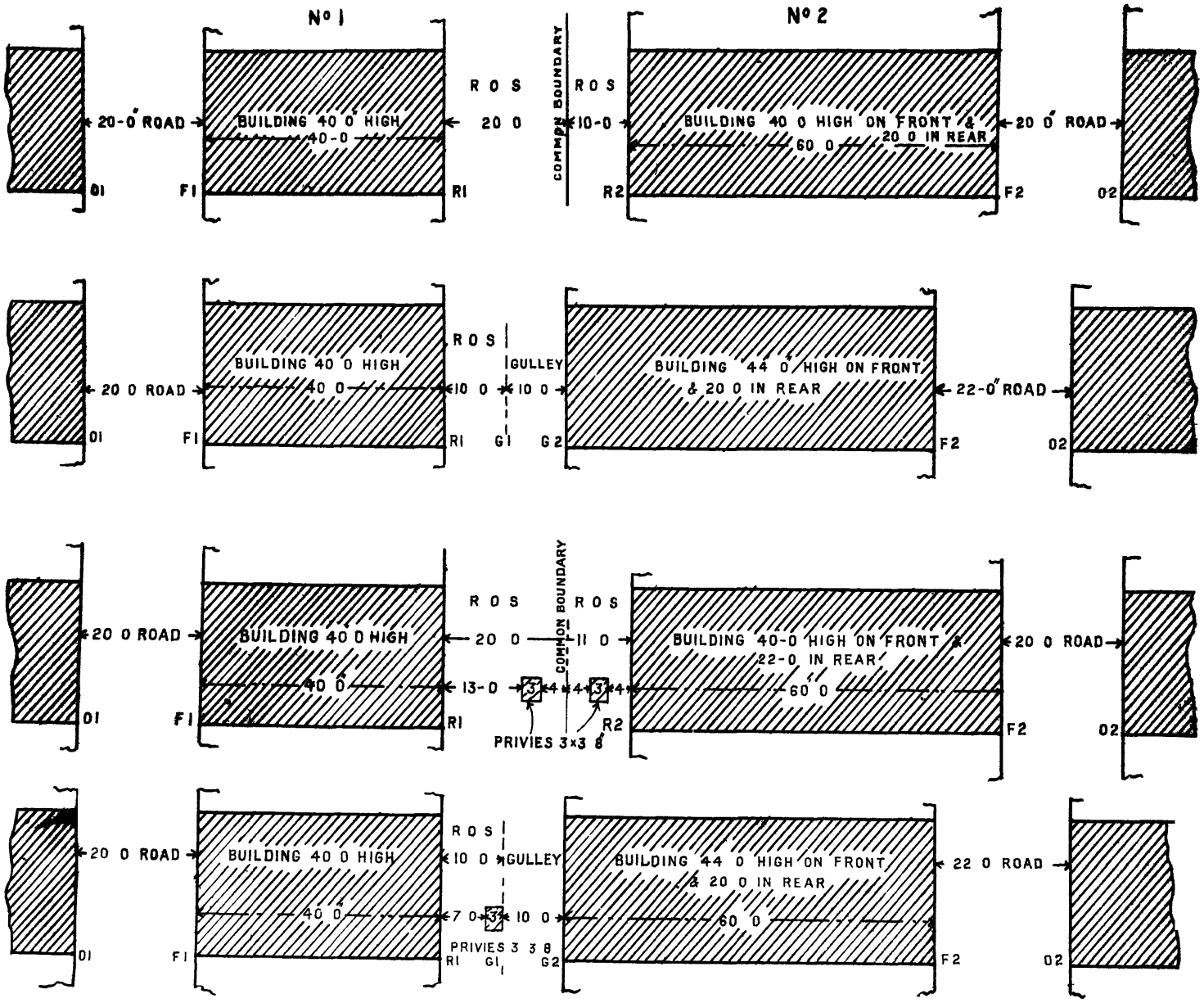
IV



Here there is a gully between Nos 1 and 2 No 1 gets a privy 8 high on the edge of the gully and as his house is set back 10' from the gully and he has 7' between the house and the privy he might build a two storeyed privy 14' high without breaking 63½° rule No 2 has built right up to the edge of the gully to a height of 20' and has then set back as in sketch 2 6' for the second storey 12' high and a further 6' for the topmost storey

SCALE 20-1

Ground plans corresponding to sections in Diagrams Nos. 1 to 4



G R S VI—G/82]

SUBJECT ..

Diary No of letter replied to 395

Section .ml
File No 60-18
Serial No 18

General and Revenue Secretariat
(GL)
, the 191

No. L. 7226

Date of issue 8.6.22

Signed by M.D.C.S

To

The President,
Bangalore City Municipal
Council.

Sir,

With ref to the correspondence ending with your No 207 of the M.C. Council regarding the question of enhancement of the existing building site rent in the Fraser Town Area, I am directed to request you to kindly submit your

OVER.

the further reports
of [redacted] Lessines in [redacted]

[redacted]

[redacted]

[redacted]

42

15-5-42

Copied by

Examined by

No 9 Fo 274

1494

From

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, dated 15th June 1922
16th

ANANDA RAO SIRSI, ESQ., B A, LL B,
President, Municipal Council,
BANGALORE CITY

To

A. V Ramanathan, Esq , B.A ,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department (In charge), Bangalore.

Sir,

With reference to your letter No L.7226/M1 60-18-8 dated 8th instant, I have the honor to state that the amendments to the existing building bye-laws have been published in the Gazette and objections or suggestions thereto have been invited A few suggestions have been received and are under consideration of the Bye-law Committee A report will be submitted soon after the same has been finally approved by the Council.

I have the honor to be,
Sir,
Your most obedient servant,

President

From Dwarka Rao-S Sun, Esq. B.A., B.L
President, City Municipal Co
Bangalore City

To

The Revenue Secretary
to Govt of His Highness
the Maharaja of Mysore
Bangalore

Dated

Despatched 16-6-1922

Received

General No
No G. Fo. 274

Enclosure No

17 JUN 1922

Re Amendments to the existing Building Bye-Laws of the Municipality

Sir,

I have the honour to state that the amendments to the existing Bye-laws of the Municipality have been published in the Gazette and that a further report will be submitted soon after a few suggestions or directions are approved by the Bye-Law Committee

No 166 of 22-23

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, dated ~~25th M A Y~~ 1923

From

ANANDA RAO SIRSI, ESQ, B A, LL B,
President, Municipal Council,
BANGALORE CITY

To

T. E. Jeyaram Iyer, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore

Sir,

With reference to your letter No L.7523/Ml. dated 15th instant, I have the honor to state that as reported in my letter No.274 dated 16th June 1922, the amendments proposed to the existing Building Bye-laws were referred to the Bye-law Committee for consideration. The Committee have not met for some time past and so the matter is pending.

2. In this connection I may state that the existing Rules and Bye-laws of this Municipality are being revised and that the proposals contained in your office letter No.L.536/Ml 60-18-16 dated 26th July 1921, will be included in the Building Bye-laws, under revision.

I have the honor to be,
Sir,
Your most obedi nt servant,

President.

D.N.R.

G R S. VI G-32]

B50—WD 0527

SUBJECT

Diary No of letter replied to 6180/24

Section 26

File No. 60-13

Serial No

General and Revenue Secretariat

(G. S. S)

No L 3113

, the 192

Date of issue 14/10/24

To The Hon'ble Chairman
City Municipal Council,
Thro' the President, City Municipal Council, Trichinopoly.

Signed by Mr. J. K. S Iyer,

Sir,

With reference to correspondence ending with the Previous letter No. 166/Ga-23 dt. the 29th May 1923 I am directed to request you to kindly communicate resolutions of the Municipal Council bearing upon the proposal to purchase the Bungalow and Compound belonging to Mr. [illegible] for the use of the Collector of Trichinopoly.

I have the honour to be,
Sir,
Your most obedient servant,
[illegible]
for Chief Secretary.

To. K. G. Kasturiranga Iyengar Esq B.A.,
Hon'ble Chairman, City Municipal Council
Thro' the President, City Municipal Council, Trichinopoly.

11.10.24

No 64 of
23 - 25

215 OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, Dated 6th NOVEMBER 1924.

From

M G KRISHNASAMI RAO, Esq., B A,

MUNICIPAL COMMISSIONER, MUNICIPAL COUNCIL

BANGALORE CITY

GENERAL & REVENUE SECRETARIAT.
3034
11 NOV 1924
LOCAL SELF-GOVT BRANCH

CITY OF
10 NOV 1924

B. Nagappa, Esq., Bar-at-Law,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Local and Legislative Departments,
BANGALORE

Sir,

6185 With reference to your D.O No L 3113/Ml.60-18 dated t 14th October 1924, requesting early submission of the revis draft building bye-laws, I have the honor to state that the rules and bye-laws of this Municipality as a whole includi the building bye-law have been revised, but they have yet be approved by the Municipal Bye-law Committee and the Mun pal Council The Bye-law Committee has to be formed a since the new council came into existence only two days a The matter will be disposed of as early as possible.

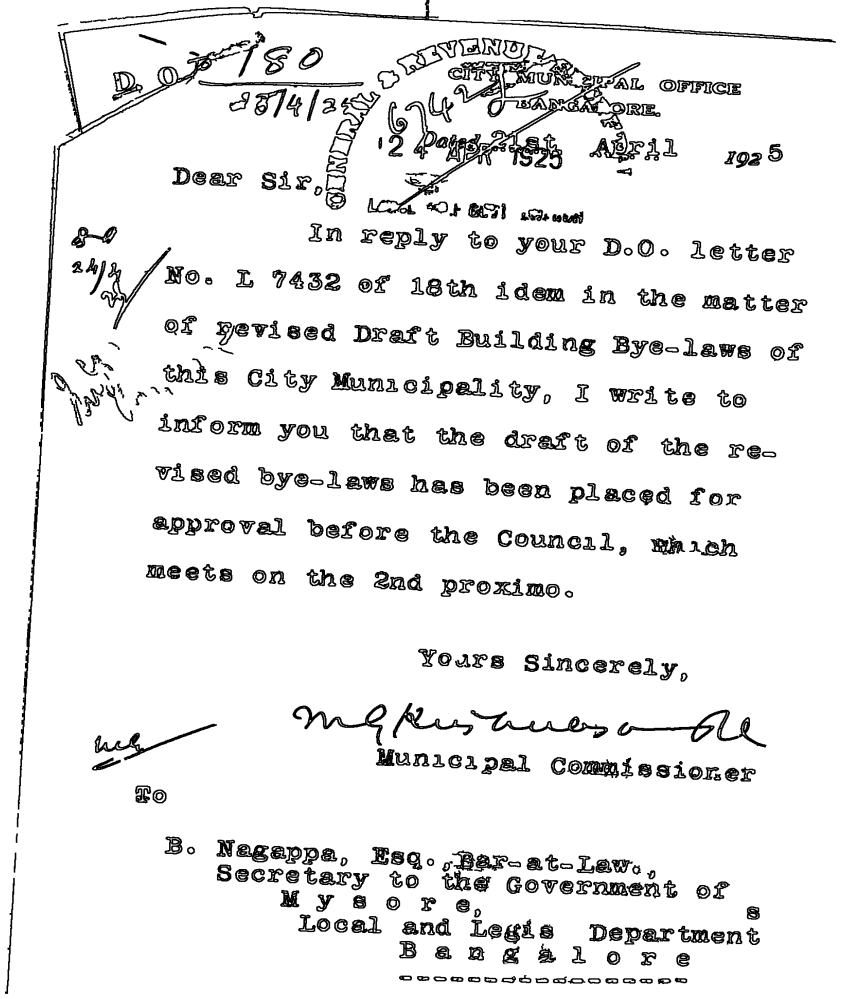
I have the honor to be,
Sir,
Your most obedient servant
M G Krishnasami
Municipal Commissioner

DNR.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]



N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form